



2000

ZONING RESOLUTION

OF

NATRONA COUNTY,

WYOMING

Adopted December 19, 2000

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Updated July 14, 2010 (Resolution 42-10)

Updated January 18, 2011 (Resolution 03-11)

Updated August 2, 2011 (Resolution 40-11)

Rules and Regulations

The Board of County Commissioners

County of Natrona


I certify that the attached is a true and correct copy of the rules of the Board of County Commissioners, Natrona County, Wyoming relating to the 2000 Zoning Resolution for the unincorporated areas of Natrona County, adopted in accordance with the Wyoming Administrative Procedures Act, § §16-3-101 to 16-3-115, W.S. 1977. This 2000 amendment combines and reduces the zoning districts, modifies uses in each zone, and simplifies the zoning process for citizens and for county enforcement. An amended zoning map, delineating boundaries of the zoning district throughout the County, is also adopted as part of this 2000 Zoning Resolution of Natrona County.

Prior to adoption, these rules and map were made available for public inspection on November 3, 2000, and notices of intended adoption were mailed to all persons requesting notice of proposed rules.

The attached 2000 Natrona County Zoning Resolution and 2000 Natrona County Zoning Map are effective immediately upon filing with the County Clerk.

Signed this 8 day of January, 2001.

Board of County Commissioners
Natrona County, Wyoming


R. Jon Campbell, Chairman

NATRONA COUNTY 2000 ZONING RESOLUTION

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CHAPTER I

GENERAL PROVISIONS

Section 1. Intent and Purpose

This Resolution is adopted for the purpose of protecting the public health, safety and general welfare by:

- a. Providing for division of the unincorporated area of the County into zoning districts and regulating therein the location, erection, construction, reconstruction, enlargement, alteration and use of structures; and the uses, condition of use or occupancy of lands for agricultural, residential, business, industrial, recreational, and public purposes;
- b. Promoting the orderly development of the agricultural, residential, business, industrial, recreational and public areas;
- c. Providing light, air and convenience of access to property while limiting congestion of public rights-of-way.
- d. Establishing performance standards which regulate physical development of lands;
- e. Providing for the administration of this Resolution through the adoption of procedures, regulations and fees; and
- f. Prescribing penalties for the violation of the provisions of this Resolution or any amendment thereto.

Section 2. Goals and Policies

The goals and policies of the Natrona County Board of County Commissioners are to:

- a. Assure that future development will not adversely affect adjacent land use.
- b. Protect the property rights of the individual to the degree that they do not infringe upon the property rights of others.
- c. Accommodate the desires of neighboring landowners and the views of the general public while at the same time protecting the rights of individual property owners.
- d. Control urban sprawl while cooperating with new development proposals; however, the welfare of the general public will be of primary importance.

- e. Recognize the need for flexibility in the design of large subdivisions. Subdivisions which are planned as a unit will be encouraged, provided that such a development meets all existing standards set forth in the planned unit development regulations.
- f. Encourage building designs that are compatible with surrounding land use and provide privacy and innovation of design.
- g. Locate all new development based upon proven planning principles, population estimates, transportation, the existing utility networks and the availability of County facilities and services.
- h. Prevent the mixing of incompatible land uses by providing transitional buffer zones.
- i. Be guided by the current Comprehensive Land Use Plan, The County Development Plan, adopted December 18, 1998, for Natrona County for all land development and all rezoning decisions.
- j. Require all subdivisions proposed within the County to be platted and developed in accordance with the State and County Subdivision Regulations.
- k. Require all development and rezoning decisions within the County to adhere to the restrictions, qualifications and restraints identified in the Central Natrona County Natural Hazards Study.
- l. Require all development within the County to comply with the Casper-Natrona County Health Department Regulations.
- m. Protect surface water and ground water from degradation by point and non-point sources of pollution.
- n. Prevent degradation of the air quality of Natrona County.
- o. Preserve natural vegetation where its removal would cause slope failure, soil erosion, destruction of wildlife habitat, or significant visual damage.
- p. Preserve areas of scenic and wildlife value.
- q. Protect from development those lands which have historical value or are currently prime agricultural lands.
- r. Preserve and protect Casper Mountain and the North Platte River.
- s. Encourage the concentration of urban development in the urbanized area of the County and provide for a more efficient use of public services and facilities,

including, but not limited to roads, utilities, fire protection, police protection and schools.

t. Use community facilities improvements to direct growth within the County.

u. Cooperate with the municipalities of Natrona County to provide for compatible land use within their respective growth areas.

v. Cooperate with all Federal, State and County agencies to encourage sound management of public land as it relates to multiple uses of the land and other planning related issues.

w. Promote the use of renewable resources and conservation of non-renewable resources.

x. Encourage the development of commercial uses at the intersection of major roads and highways.

y. Discourage medium to high density residential development adjacent to major highways.

Section 3. Short Title

This Resolution may be cited as the "Natrona County 2000 Zoning Resolution" and hereinafter is referred to as the "Resolution."

Section 4. Authority

This Resolution is adopted pursuant to the authority conferred under ss. 18-5-201 through 18-5-207 W.S. 1977 for the purpose of promoting the health, safety and general welfare of the people of Natrona County.

Section 5. Effective Date

This Resolution shall be in full force and effect, as adopted by the Natrona County Board of County Commissioners and filed with the County Clerk.

Section 6. Severability

All parts and provisions of this Resolution are hereby declared to be severable. If any clause, section, subsection, sentence, paragraph, part, word, phrase or provision of this Resolution shall, for any reason, be adjudged by any court of competent jurisdiction to be invalid, illegal or unconstitutional, such judgment shall be confined in its operation to the clause, section, subsection, sentence, paragraph, part, word, phrase or provision directly involved in the controversy in which such judgment shall have been rendered.

Section 7. Relationship to Other Laws

Where this Resolution imposes greater restrictions upon the use of buildings or land than are imposed or required by existing provisions of law or resolution, this Resolution shall prevail. Compliance with this Resolution does not presume to give authority to violate or cancel the provisions of any other Federal, State or local law.

CHAPTER II

APPLICATION OF PROVISIONS

Section 1. Resolution Conformance

No land shall be used or occupied and no structure shall be located, erected, used, occupied, constructed, reconstructed, enlarged, changed, maintained or altered, except in conformity with all provisions of this Resolution.

Section 2. Application of Resolution

This Resolution shall apply to all lands within the unincorporated portions of Natrona County.

Section 3. Incorporated Cities or Towns

Nothing in this Resolution shall be construed to contravene any zoning authority of any incorporated city or town within Natrona County.

Section 4. Lot Reduction

No platted lot of record or unplatted lot of land which is existing at the time of the passage of this Resolution shall be reduced in dimensions or area below the minimum requirements set forth herein. Lots created after the effective date of this Resolution shall meet or exceed the minimum requirements established by this Resolution and shall comply with the Natrona County Subdivision Resolution.

Section 5. Combination of Lots

No portion of any lot which has been designated or used to satisfy the minimum lot size required for an existing or proposed structure shall be included as a portion of the minimum lot size required for another structure.

Section 6. Affect of Zoning Violations

In the event violations of this Resolution exist on any property, no application for conditional use permits, variances, zone changes, issuance of zoning certificates and building permits or any other action until all zoning violations have been removed or abated and the property brought into compliance with this Resolution.

CHAPTER III

ADMINISTRATION AND ENFORCEMENT

Section 1. Natrona County Planning and Zoning Commission

There is a planning and zoning commission known as "Natrona County Planning and Zoning Commission", hereinafter referred to in this Resolution as the "Commission."

a. Composition, Appointment, Terms of and Removal from Office, Vacancies, Rules and Secretary - The membership of the Commission shall consist of five (5) members appointed by the Board, at least three (3) of whom shall reside in the unincorporated area of the County. The terms of office of the members appointed shall be for a period of three (3) years. Any member of the Commission may be removed from office for cause, other than politics or religion, after a public hearing by the Board. If a vacancy occurs in the Commission, the Board shall fill the vacancy by appointment for the unexpired term. The Commission shall adopt rules for the transaction of its business. The County Clerk shall serve as secretary to the Commission.

b. The Commission shall elect, from its own membership, a chairman and vice-chairman who shall serve annual terms and who may succeed themselves.

c. Meetings of the Commission shall be held at the call of the Chairman and at such other times as the Commission may determine, in accordance with ss. 9-11-104 W.S. 1977. For the conduct of any meeting, public hearing or the taking of any action, a quorum of three (3) members is required. An affirmative vote of the majority of the members present at the meeting is required to authorize any action of the Commission. In the case of a tie vote, the matter shall be forwarded to the Board without a recommendation. The Commission shall render decisions and forward such decisions to the Board. The Commission shall keep minutes of its proceedings showing the vote of each member upon each action. All meetings, records and accounts of the Commission shall be public.

d. The Commission shall have the following powers and duties:

- (1) To adopt rules and regulations for the conduct of its own business.
- (2) To hear and make recommendations on applications for Conditional Use Permits, Variances, Zone Changes and Amendments to this Resolution.
- (3) To prepare and amend the Comprehensive Land Use Plan and certify the plan to the Board.
- (4) To make recommendations on land use planning decisions, such as subdivisions, establishment of water and sewer districts, establishment or vacation of roads, etc.

- (5) Any powers and duties granted by the Board.

Section 2. Powers and Duties of Administering Agency

The Planning Department of Natrona County shall have the power and duty to administer this Resolution. In the performance of these duties, the department will:

- a. Administer rules and procedures, which include the development of necessary forms and permits, development of procedures not described by this Resolution and coordinate with other officials and departments as directed by the Board.
- b. Receive all applications for Variances, Conditional Uses, Zone Changes and Amendments to this Resolution, refer such applications to the proper agencies for examination, and submit to the Planning Commission and Board all such applications, together with the recommendations of the examining agencies and the recommendations of the Planning Department.
- c. Participate, when deemed appropriate, in public hearings or meetings before the Planning Commission and the Board on Variances, Conditional Use Permits, Zone Changes or amendments of this Resolution.
- d. Maintain the Official Zoning Map or maps showing the current zoning classification of all of the unincorporated lands within Natrona County.
- e. Propose to the Planning Commission and the Board any changes to the Resolution or Official Zoning Map that may, from time to time, be desirable or necessary. All such changes shall be subject to the amendment procedures set forth in this Resolution.
- f. Designate a County Zoning Enforcement Officer who is hereby given the authority to enforce the provisions of this Resolution. Said officer shall have the authority to make inspections or any necessary investigations as allowed by law, relative to the use of land or structures to determine compliance with this Resolution.
- g. Maintain such records and files as may be necessary in the efficient conduct of the above duties.
- h. Establish and collect fees, as approved by the Board.

Section 3. Enforcement

This Resolution shall be enforced by the Planning and Building Departments which shall have the authority to grant Zoning Certificates, Building, Occupancy and other required permits, to make inspections and to make all decisions necessary to properly carry out the provisions of this Resolution. No mistake, oversight or dereliction on the part of any

official or employee of the County shall legalize, authorize or excuse the violation of any provisions of this Resolution.

Section 4. Violations

No person shall use or occupy any land or locate, erect, occupy, construct, reconstruct, enlarge, change, maintain or alter any building or structure in violation of the provisions of this Resolution. Persons found to be in violation of any provision of this Resolution shall be notified, in writing, by the Zoning Enforcement Officer of the nature of the violation and the need to remedy or correct said violation. Within ten (10) working days of such notification, the violation shall be remedied or corrected. If the violation is not remedied or corrected within the ten-day period, the matter may be referred for legal action by the Office of the County Attorney.

In the event of a violation or threatened violation of this Resolution, the Zoning Enforcement Officer, the Board, or any adjacent property owner, or other property owner who would be damaged by such violation, in addition to other remedies, may institute an injunction, mandamus, or other appropriate action in proceeding to prevent, restrain, correct or stop such violations or threatened violations.

Section 5. Penalty

Any person violating any provision of this Resolution shall be guilty of a misdemeanor and upon conviction may be fined up to \$750 for each offense according W.S. 18-5-206. Each day of continuation of a violation is a separate offense according to W.S. 18-5-202.

Section 6. Appeals

a. Administrative Actions Appealable.

Any person aggrieved by any written determination, interpretation, decision, or similar action taken by the County Development Department under the provisions of these Zoning Regulations may appeal such action to the County Planning Commission. Determinations subject to public hearing review pursuant to these regulations are not appealable under this process.

b. Planning Commission Actions Appealable.

Decisions of the Planning Commission may be appealed to the Board.

c. Filing Requirements.

Appeals shall be in writing, and shall state the basis of the appeal. Appeals shall be filed with the County Development Department no later than the tenth (10th) calendar day following the date of the action from which an appeal is taken.

d. Time Limitation and Vote – Planning Commission.

The Planning Commission shall determine an appeal not later than its second regular meeting following the date on which the appeal was filed in the County Development office.

e. Time Limitation and Vote – Board of County Commissioners.

The Board shall determine an appeal not later than its second regular meeting following the date on which the appeal was filed with the Planning Commission.

f. Failure of appellate body to act.

Failure of the Planning Commission or County Commissioners to act within the time specified shall sustain the determination being appealed.

CHAPTER IV

PERMITS

Section 1. Zoning Certificate

No building or structure shall be commenced, erected or altered nor any Building, Electrical or Plumbing Permit issued until a Zoning Certificate has been issued by the Development Department, certifying that the proposed building(s), structure(s) or mobile home(s) complies with all of the provisions of this Resolution. Accessory buildings, which are less than 120 square feet, do not require a permanent foundation, are not fixed to a permanent location on the ground, and are not attached to a building containing a permitted use, shall not require a Zoning Certificate. Also excluded are any internal renovations which do not change the use of the building.

The Development Department shall act promptly upon any Zoning Certificate application filed; and shall grant said Certificate in cases where the proposed construction or use complies with the requirements of this Resolution, the Natrona County Subdivision Regulations, City-County Health Department rules, and other applicable rules and regulations. If the application is denied, the reasons for such denial shall be specified in writing and the applicant notified of his right of appeal, pursuant to Chapter III, Section 6 – Appeals.

Any future modifications of existing buildings or changes of use of any building or land area, excluding internal renovations outlined above, shall require a Zoning Certificate.

A Zoning Certificate shall be valid up to one year from the date of issuance. If rezoning is proposed for property for which a Zoning Certificate has been issued, the use for which the Zoning Certificate was issued must be in existence on the property prior to the date of approval of the new zoning by the Board.

Section 2. Building Permits

It is unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove or convert any building or structure or cause the same to be done, without first obtaining the required permits for each building or structure from the Building Department.

All applications for Building Permits shall be accompanied by a legal description of the property, a plot plan showing the dimensions of the lot to be built upon, the dimensions and location of any existing buildings or structures on the lot, the dimensions and location of the proposed building or structure, and any other such information as may be necessary to provide for the enforcement of the provisions of this Resolution and the Uniform Administrative Code. For any permanent buildings or structures greater than fifty (50) feet in height, Applicant shall, in addition to the foregoing requirements, furnish a map showing the location of the permanent building or structure, GPS coordinates of

the permanent building or structure, the geographic elevation of the construction site and the planned height of the permanent building or structure above grade. For any permanent buildings or structures greater than fifty (50) feet in height, the Natrona County Building Department shall furnish a copy of the Building Permit application to the Natrona County International Airport Board of Trustees and the Airport Manager.

The Building Department shall act promptly upon any permit application filed with it and shall grant permits where the proposed construction or use complies with the requirements of this Resolution and the Uniform Administrative Code. If the Building Department denies an application, the reasons for such denial shall be specified in writing and the applicant notified of his right of appeal to the Board. If construction has not been started within 180 days of the date of the issuance of the Building Permit, the permit shall become void.

A copy of all issued permits shall be filed by the Building Department and shall be available for examination as provided by ss. 16-4-201.

Adopted 12-15-2009

Section 3. Revocation of Permits

If the Building Department finds that any work is not in accordance with the information supplied on the permit application or is in violation of this or any other pertinent regulations, or should the Department find that there has been any misrepresentation in connection with the application for the permit, the Department shall notify the owner or owner's representative of such findings and notify him/her that the violation must be corrected. The owner or owner's representative shall have five (5) working days in which to reply to such notification. If such reply or correction is not made, the Building Department shall revoke the permit and shall serve written notice thereof of the grounds therefore and of the right of appeal to the Board upon the owner or owner's representative. No person shall proceed with any part of such work after such notice is received.

Section 4. Certificates of Occupancy

No building shall be used or occupied and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until a Certificate of Occupancy has been issued by the Building Department stating that the entire building and proposed use thereof complies with the provisions of this Resolution, the Uniform Administrative Code, and Casper-Natrona County Health Department Regulations. Certificates of Occupancy must be signed by all applicable inspectors.

Section 5. Non-Liability for Damages

This Resolution may not be construed to hold Natrona County or its officers, agents or employees responsible for any damage to persons, property or business interests

resulting from any inspection or any failure to inspect, from the issuance, denials, suspension or revocation of any permit or from the institution of any enforcement action.

Section 6. Permitted and Conditional Use Definition Interpretation

a. The Development Department shall make the determination as to whether a proposed use not listed as a Permitted or Conditional Use meets the intent of the Permitted or Conditional Use sections of each zoning district.

b. The Development Department shall make the determination as to whether a proposed use, listed as a Permitted or Conditional Use but not defined in Appendix "A," meets the intent of the Permitted or Conditional Use sections of each zoning district.

c. Any applicant may appeal the Development Department's decision in a) or b) above in writing. Appeals shall be processed pursuant to Chapter III, Section 6- Appeals.

Section 7. Rural Addressing and Premises Identification

a. The purpose of this section is to establish procedures for providing location addresses and premises identification for properties located in Natrona County, in accordance with the Natrona County Rural Addressing/E911 System.

b. Premises identification/addressing is based on the grid system in the Natrona County Rural Address System/E911 system. The Natrona County Rural Address system book contains a grid map of Natrona County on which the County is divided into alphabetical section, township and range. The Natrona County Rural Address system book also list subdivisions, streets, and roads.

c. A location address and premises location sign will be assigned by the Natrona County Development Department for all properties not previously addressed and provided with clearly legible premises location sign. This shall be processed simultaneously with the required Zoning Certificate and/or Building Permit. Applicants shall be responsible for the cost of the premises location sign, which shall be that of the actual expense of the cost to the County Development Department. Addresses will not be assigned for vacant parcels of land.

d. The Natrona County Development Department is solely designated to issue all addresses for unincorporated Natrona County. The Development Department shall maintain records of all such addresses and shall also coordinate with the County Assessor's Office and County GIS Department to incorporate this information into the County Assessor database County GIS.

e. Anyone wishing an address must provide a copy of the Warranty Deed for the property for which the address is to be issued. The address will be issued in conjunction with a Zoning Certificate and Building Permit within the perimeters of the

legal location and the grid system. Requirements for address issuance are to establish the use of the property and to establish the correct location for the address. Once an address is established, white numbers on a red background and a number plate, with 3 and ½ inch x 3 and ½ inch numbers are issued, instructing the owner to place the address on a fence post, near the driveway access – not on the house or home. The owner shall continually maintain the white numbers on a red background to ensure address readability.

f. The Natrona County Development Department will not issue development permits or provide inspection services for properties that do not have clearly visible premises identification signs.

g. Every person whose duty it is to display the assigned number shall remove any different number which might be mistaken for, or confused with, the number assigned in conformance with this Resolution.

h. That every residential structure shall have a unique address assigned by the Natrona County Development Department.

i. That the County hereby adopts as reference the Street Address Data Standard developed by the Federal Geographic Data Committee.

Section 8. Road Name and Road Identification (Entire section by Res. 88-06)

a. The purpose of this section is to establish procedures to assign road names for both existing and proposed roads.

b. All roads that serve two (2) or more properties shall be named regardless of whether the ownership is public or private. A “road” refers to any highway, road, street, avenue, lane, private way, or similar paved, gravel or dirt thoroughfare. “Property” refers to any property on which a more or less permanent structure has been erected or could be placed. A road name assigned by Natrona County shall not constitute or imply acceptance of the road as a public way.

c. No two (2) roads shall be given the same name (e.g., no Pine Road and Pine Lane).

d. No two (2) roads should have similar-sounding names (e.g., Beech Street and Peach Street).

e. Each road shall have the same name throughout its entire length.

f. All road names, existing and new (excluding roads within proposed minor and major subdivisions), must be selected from a list of road names recommended for approval by the Natrona County Planning and Zoning Commission and approved by the Natrona County Board of County Commissioners. Road names proposed by affected property owners, which names are drawn from the Wyoming history or cultural heritage

of the area(s) traversed by the road, including, but not necessarily limited to, names taken from historical area events such as battles or settlements, names taken from the founders of early ranches, pioneers, persons of historical or cultural note associated with the area, and names taken from early or contemporary livestock brands, shall be deemed included in the foregoing approved list of road names and made a part thereof.

g. The Natrona County Development Department shall notify affected landowners located on or with access from a new or existing road of the road name to be assigned. Affected landowners may submit comments to the department during a fourteen (14) day review period, specified in the notification. If a majority of affected landowner comments are in opposition to the road name, the Natrona County Development Department will employ reasonable efforts to select an alternate, mutually acceptable road name from the approved road name list.

h. Road names may not directly or phonically duplicate any other road name in Natrona County.

i. All roads shall be identified with approved signs. Permanent signs shall be installed at each street intersection when construction of new roadways allows passage by vehicles and signs be of an approved size and weather resistant.

j. The Natrona County Development Department shall make the determination as to whether a ranching facility is required to name its access road.

Adopted May 4, 2010

Section 9. Pre-Application Conference Requirements

a. Pre-application conference required. A pre-application conference shall be held prior to submission of any development applications for minor and major subdivisions, major land divisions, planned unit developments or any Conditional Use Permits. A pre-application conference is optional prior to submission of any other applications.

b. Initiation of pre-application conference. An applicant shall initiate the request for a pre-application conference with the Natrona County Development Director. Along with the request for the pre-application conference, the applicant shall submit, on a form provided to the public by the Natrona County Development Director, a description of the character, location and magnitude of the proposed development and the type of development permit sought.

c. Scheduling of pre-application conference. Upon receipt of a request for a pre-application conference, the Development Director shall schedule the pre-application conference. The pre-application conference shall be held within sixty (60) calendar days of receipt of the request for such a conference. The Development Director shall notify the applicant of the time, date and place of the pre-application conference.

d. Pre-application conference purposes. The purposes of the pre-application conference are to familiarize County officials with the general location and character of the proposed development, identify the applicable provisions of County regulations, and establish the submittal requirements for the application. At the pre-application conference, the applicant and Development Director shall discuss the proposed development, and, based upon the information provided by the applicant and the provisions of applicable County regulations, identify the provisions of said regulations that apply to the proposed development. During review of the proposed development or upon submission of more detailed information about the proposed development, additional provisions of the County regulations may be identified at a later time to be applicable.

e. Written summary. The Development Director shall provide the applicant a written summary of the pre-application conference within fourteen (14) calendar days after completion of the pre-application conference. The written summary shall identify the method for tracking changes in the hard copies of the application.

f. Expiration of pre-application conference. A development application shall be based on the written summary of the pre-application conference held no more than twelve (12) months prior to the application submittal. A new pre-application conference shall be required before submission of an application if more than a year has elapsed since the previous conference.

Adopted September 2, 2008

CHAPTER V

GENERAL ZONING REGULATIONS

Section 1. Establishment of Zoning Districts

In order to carry out the provisions of this Resolution, the unincorporated areas of Natrona County shall be divided into the following zoning districts:

- (a.) Ranching, Agriculture and Mining (RAM)
- (b.) Urban Agriculture (UA)
- (c.) Mountain Residential –1 (MR-1)
- (d.) Mountain Residential –2 (MR-2)
- (e.) Rural Residential – 1 (RR-1)
- (f.) Rural Residential – 2 (RR-2)
- (g.) Suburban Residential – 1 (SR-1)
- (h.) Suburban Residential – 2 (SR-2)
- (i.) Urban Residential (UR)
- (j.) Urban Mixed Residential (UMR)
- (k.) Mobile Homes (MH)
- (l.) Commercial (C)
- (m.) Light Industrial (LI)
- (n.) Heavy Industrial (HI)
- (o.) Airport District (AD)
- (p.) Planned Unit Development (PUD)
- (q.) BP Soil Management (BPSM)
- (r.) Mountain/Wildfire Safety Overlay District
- (s.) Slope Protection Overlay District
- (t.) Use Control Area (UCA)

Section 2. Zoning District History

- (a.) RAM is a combination of the previous R-F and MD districts.
- (b.) Urban Agriculture (UA) replaces the previous A- Agriculture District.
- (c.) MR-1 is a new zoning district created on June 1, 2004 as part of the 2004 Casper Mountain Land Use Plan.
- (d.) MR-2 is a new zoning district created on June 1, 2004 as part of the 2004 Casper Mountain Land Use Plan.
- (e.) RR-1 is a combination of the previous Homestead (H), Rural Mixed Large (RML), and Ranchettes (R) districts.
- (f.) RR-2 replaces the previous Rural Estate (RE) district.
- (g.) Suburban Residential-1 (SR-1) is a combination of the previous Rural Residential (RR), Suburban Ranchettes (SR) and Suburban Mixed (SM) districts.
- (h.) Suburban Residential-2 (SR-2) replaces the previous Suburban Estates (SE) and Suburban Home (SH) districts.
- (i.) Urban Residential (UR) is a combination of the previous Urban Residential and Light Density Residential (R-L) districts.

- (j.) Urban Mixed Residential (UMR) is a combination of Mixed Residential (R-M) and Urban Mixed (UM).
- (k.) Mobile Home (MH) district incorporates the previous Mobile Home district.
- (l.) Commercial (C) replaces the previous Rural Business (B-R), Light Business (LB), and General Business (GB) districts.
- (m.) Light Industrial (LI) replaces the previous Light Industrial, General Industrial (GI) and Controlled Industrial (CI).
- (n.) Heavy Industrial (HI) incorporates the previous Heavy Industrial district.
- (o.) Planned Unit Development (PUD) incorporates the previous (PUD) district.
- (p.) Mountain/Wildfire Safety Overlay District is a new district created on June 1, 2004 as part of the 2004 Casper Mountain Land Use Plan.
- (q.) Slope Protection Overlay District is a new district created on June 1, 2004 as part of the 2004 Casper Mountain Land Use Plan.
- (r.) Use Control Area (UCA).

Section 3. Zoning District Map

a. The boundaries of these zoning districts are to be established as shown on maps entitled "Official Zoning Map" of Natrona County. These maps and all future official amendments thereto are hereby declared to be part of this Resolution. In the event that the Official Zoning Map or any part thereof is destroyed, the map or the part may be reconstructed from the official zoning records of the County.

b. Unless otherwise defined in amendatory resolutions and on the Official Zoning Map, district boundary lines are intended to be lot lines; the center line of streets, alleys, channelized waterways or other similar rights-of-way; the center line of blocks; sections or township lines; municipal corporate lines; the center line of stream beds; County boundary lines; or other lines dimensioned or drawn to scale on this Official Zoning Map.

- c. It is the intent of this Resolution that all unincorporated lands within Natrona County be located within one of the enumerated zoning districts. If any land within Natrona County is determined not to be within one of the enumerated zoning districts, whether such determination results from inaccurate legal descriptions, judicial declaration, or from any other reason or cause, then no permits shall be issued for the use of the land or for the erection or alteration of any structures thereon until the area has been examined by the Board and a zoning classification has been established.

Section 4. Uniform District Regulations

The provisions of this Resolution shall apply uniformly to all geographical areas bearing the same district classification provided, however, that:

- a. Where an ownership of record is divided by a district boundary line, each parcel thus created equal to or exceeding the minimum lot sizes for the applicable districts as

established by this Resolution shall conform to the regulations pertaining to the zoning district in which the parcel is located.

b. Where an ownership of record is divided by a district boundary line, any parcel thus created which is smaller than the minimum lot size for the district in which it is located, may be combined with the larger parcel and used for a use permitted in the zoning district in which the larger of the two parcels is located.

c. Where a parcel is located in one of the zoning districts within Chapter VI and is also included in the constraints overlay map, all provisions of both shall apply.

CHAPTER VI

ZONING DISTRICTS

Section 1. Ranching, Agricultural and Mining (RAM)

a. The intent and purpose of the Ranching, Agricultural and Mining District is to provide for and protect areas traditionally used for commercial ranching, agriculture and mining. This also includes other commercial resource activities including oil and gas production, forest and wildlife management, ranch recreation, hunting camps and other rural activities.

For each Permitted or Conditional Use, check the definitions, Appendix A, and Design Criteria, Chapter VII, to determine requirements for that specific use.

- b. The following are Permitted Uses in this district:
- (1) Accessory buildings and uses.
 - (2) Agriculture, commercial ranching and agriculture and associated accessory uses.
 - (3) Arena, commercial or recreational.
 - (4) Auto repair station.
 - (5) Auto service station.
 - (6) Auto wrecker service.
 - (7) Bed and breakfast.
 - (8) Campground.
 - (9) Cemetery.
 - (10) Club or lodge.
 - (11) Dwellings: any combination of single-family dwellings, mobile homes, manufactured homes, seasonal dwellings or bunk houses under single ownership, incidental and customary to the primary use.
 - (12) Family Child Care Home, Family Child Care Center and Child Care Center.
 - (13) Forest and wildlife management.
 - (14) Guest or dude ranch; hunting facility.
 - (15) Home business.
 - (16) Meat Processing.
 - (17) Mining, oil and gas exploration, production and associated and accessory uses.
 - (18) Park, playground, golf course and other similar open space recreation facilities.
 - (19) Place of worship.
 - (20) Small wind energy systems (SWES)
 - (21) Temporary dwelling, man camps, requiring no hook-up to water or sewer, and appurtenant facilities associated with highway, pipeline and power line construction or mineral exploration.

(22) Utilization of mobile and/or manufactured homes for storage purposes, incidental to the principal structure(s) on the property. (see Chapter VII, Section 8f).

(23) Communication Towers less than or equal to forty-five (45) feet in height and Communication Tower and Antenna combinations less than or equal to seventy (70) feet in height, which are owned and operated by non-commercial users, including ham radio operators and other communication enthusiasts and are located not less than one (1) mile from any other zoning district (see Chapter VII, Section 15- Communication Towers and Wireless Telecommunication Facilities)

(24) Other similar and compatible uses, as determined by the Board.

(25) Airports and Heliports

c. In addition to the above permitted uses, the following uses may be approved by Conditional Use Permit:

(1) Auto reduction/recycling center.

(2) Collector Car Storage

(3) Communication Towers and Wireless Telecommunication Facilities of any height which are owned and operated by commercial users providing services to the public and are located not less than one (1) mile from any other zoning district; Communication Towers greater than forty-five (45) feet in height, which are owned and operated by non-commercial users, including ham radio operators and other communications enthusiasts and are located not less than one (1) mile from any other zoning district; and any Communication Tower and Antenna combinations greater than seventy (70) feet in height, which are owned and operated by non-commercial users, including ham radio operators and other communications enthusiasts and are located not less than one (1) mile from any other zoning district. (See Chapter VII, Section 15—Communication Towers and Wireless Telecommunication Facilities)

(4) Confinement livestock facility.

(5) Correctional facility (See Chapter VII – Design Criteria and Procedures)

(6) Hot mix batch plant, temporary.

(7) Manufacturing and storage of explosives.

(8) Mining; aggregate extraction (See Chapter VII, Design Criteria and Procedures).

(9) Mobile home park.

(10) Public facility.

(11) Recreational facility, public or private.

(12) Rendering plant.

(13) Salvage yard.

(14) Sanitary landfill, sewage treatment facility.

(15) School; elementary, junior and senior high, college, university, vocational trade, professional or business.

(16) Temporary dwelling, dependent on outside water and sewer, and appurtenant facilities associated with highway, pipeline and power line construction or mineral exploration.

(17) Utility installation.

(18) Wind generator(s), commercial, producing electricity for sale.

(19) Commercial recreation

(20) Other similar and compatible uses, as determined by the Board.

RAM District Minimums

- d. Minimum district size is 40 acres or the legally described 1/16 Section.
- e. Minimum lot size is 35 acres.
- f. Minimum setbacks for principle and accessory buildings are as follows:
 - (1) 25 feet adjacent to public roads.
 - (2) 10 feet from all property lines not abutting a road.
- g. No maximum height.
- h. No minimum open space.

Section 2. Urban Agricultural (UA)

a. The intent and purpose of the Urban Agricultural District is to provide for and protect properties of ten (10) acre lots or larger in the urbanized area which are used for agriculture and residential purposes.

For each Permitted or Conditional Use, check the definitions, Appendix A, and Design Criteria, Chapter VII, to determine requirements for that specific use.

b. The following are permitted uses in this district:

- (1) Accessory buildings and uses.
- (2) Agriculture, commercial ranching and agriculture and associated accessory uses.
- (3) Animal clinic, animal shelter/kennel.
- (4) Arena, commercial
- (5) Arena, recreational.
- (6) Bed and breakfast.
- (7) Cemetery.
- (8) Club or lodge.
- (9) Dwellings: any combination of single-family dwellings, mobile homes, manufactured homes, seasonal dwellings or bunk houses under single ownership, incidental and customary to the primary use. See definition of manufactured homes and building codes for construction and installation requirements for manufactured homes.
- (10) Family Child Care Home, Family Child Care Center and Child Care Center.
- (11) Greenhouse, commercial.
- (12) Guest or dude ranch; hunting facility.
- (13) Home occupation.
- (14) Park, playground, golf course and other similar open space recreation facilities.
- (15) Place of worship.
- (16) Recreational activities associated with agriculture.
- (17) Temporary housing, independent, (man camps), requiring no hook-up to water or sewer, housing and appurtenant facilities associated with highway, pipeline and power line construction or mineral exploration.
- (18) Small wind energy systems (SWES)
- (19) Other similar and compatible uses, as determined by the Board.

c. In addition to the above permitted uses, the following uses may be approved by Conditional Use Permit:

- (1) Airports and Heliports.
- (2) Auto reduction/recycling center.
- (3) Auto repair station.
- (4) Auto service station.
- (5) Auto wrecker service.
- (6) Campground.

- (7) Collector Car Storage
- (8) Commercial recreation
- (9) Communication Towers and Wireless Telecommunication Facilities of any height which are owned and operated by commercial users providing services to the public and are located not less than one (1) mile from any other zoning district; Communication Towers greater than forty-five (45) feet in height, which are owned and operated by non-commercial users, including ham radio operators and other communications enthusiasts and are located not less than one (1) mile from any other zoning district; and any Communication Tower and Antenna combinations greater than seventy (70) feet in height, which are owned and operated by non-commercial users, including ham radio operators and other communications enthusiasts and are located not less than one (1) mile from any other zoning district. (See Chapter VII, Section 15—Communication Towers and Wireless Telecommunication Facilities)
- (10) Correctional facility (see Chapter VII – Design Criteria and Procedures).
- (11) Hot mix batch plant, temporary.
- (12) Meat processing.
- (13) Mining; aggregate extraction (See Chapter VII, Design Criteria and Procedures).
- (14) Mobile home park.
- (15) Public facility.
- (16) Recreational facility, public or private.
- (17) Sale Barn
- (18) Sanitary landfill, sewage treatment facility.
- (19) Sawmill.
- (20) School; elementary, junior and senior high, college, university, vocational trade, professional or business.
- (21) Small wind energy systems (SWES)
- (22) Temporary dwelling, dependent on outside water and sewer, and appurtenant facilities associated with highway, pipeline and power line construction or mineral exploration.
- (23) Utility installation.
- (24) Wind generator(s), commercial, producing electricity for sale.
- (25) Utilization of mobile and/or manufactured homes for storage purposes, incidental to the principal structure(s) on the property. (see Chapter VII, Section 8f).
- (26) Other similar and compatible uses, as determined by the Board.

UA District Minimums

- d. Minimum district size is 40 acres or the legally described 1/16 Section.
- e. Minimum lot size is 10 acres.
- f. Minimum setbacks for principle and accessory buildings are as follows:
 - (1) 25 feet adjacent to public roads.
 - (2) 10 feet from all property lines not abutting a road.

- g. No maximum height.
- h. No minimum open space.

Section 3. Mountain Residential 1 (MR-1)

a. The intent and purpose of the Mountain Residential 1 district is to establish and protect areas for low density residential and accessory agricultural uses. Due to the unique nature and characteristics of the land in this zoning district, design standards and overlays have also been developed for slope protection and fire safety. Recognizing that development will occur in the MR-1 district, the intent of the standards and overlays is to protect property owners, visitors, and wildlife from natural hazards, assure there is adequate access to all sites, develop land in a sensitive manner, and reduce the costs associated with firefighting in more remote areas.

Manufactured homes which meet all the criteria in the definition of “manufactured home” in this resolution are permitted. See definition of manufactured homes and building codes for construction and installation requirements for manufactured homes.

Any home which does not meet these standards is considered a mobile home and is not permitted in the MR-1 district. The definition of a permanent home foundation includes the requirement that wheels and axles are removed and the unit is supported from concrete piers, which are 42 inches deep (frost line) at the manufacturers recommended locations. The unit must be tied down and a curtain wall of masonry or other approved material be installed on the perimeter of the unit. Specific details on the installation are available from the building department.

A unit which meets all the HUD code construction requirements, but which is not installed in accordance with county requirements is considered to be a mobile home. Manufactured housing may be restricted in any area through covenants.

For each permitted or conditional use, check the definitions, Appendix A, and Design Criteria, Chapter VII, to determine requirements for that specific use.

- b. The following are permitted uses in these districts:
- (1) Accessory buildings and uses.
 - (2) Dwellings: one single family, manufactured home or seasonal dwelling per lot or tract.
 - (3) Forest and wildlife management.
 - (4) Family Child Care Home and Family Child Care Center
 - (5) Home occupation.
 - (6) Light agriculture, accessory to residential use on the same lot or tract.
 - (7) Park, playground, golf course and other similar open space recreation facilities.
 - (8) Storage of flammable or combustible liquids not to exceed 500 gallons, total.
 - (9) Propane tank, not to exceed 2,000 gallons total.
 - (10) Other similar and compatible uses, as determined by the Board.

c. In addition to the above permitted uses the following uses may be approved by Conditional Use Permit:

- (1) Bed and breakfast.
- (2) Day care center.
- (3) Place of worship.
- (4) Public facility.
- (5) Recreational facility, public or private.
- (6) Small wind energy system (SWES)
- (7) Arena, recreational.
- (8) Communication Towers and Wireless Telecommunication Facilities of any height which are owned and operated by commercial users providing services to the public and are located not less than one (1) mile from any other zoning district; Communication Towers greater than forty-five (45) feet in height, which are owned and operated by non-commercial users, including ham radio operators and other communications enthusiasts and are located not less than one (1) mile from any other zoning district; and any Communication Tower and Antenna combinations greater than seventy (70) feet in height, which are owned and operated by non-commercial users, including ham radio operators and other communications enthusiasts and are located not less than one (1) mile from any other zoning district. (See Chapter VII, Section 15—Communication Towers and Wireless Telecommunication Facilities)
- (9) Utility installation.
- (10) Commercial recreation
- (11) Other similar and compatible uses as determined by the board.

d. Minimum district size is 40 acres

e. Minimum lot size is 10 acres

f. Minimum set backs for principle and accessory buildings are as follows:

- (1) 25 feet adjacent to public roads.
- (2) 10 feet from all property lines not abutting a road.

g. Maximum height is 36 feet for all buildings, principle and accessory.

h. Minimum open space is 50% of the lot area to be free from structures.

Section 4. Mountain Residential 2 (MR-2)

a. The intent and purpose of the Mountain Residential 2 district is to establish and protect areas for low density residential uses, recreational uses, accessory agricultural uses, and commercial uses (upon approval of Conditional Use Permits and in those areas designated for commercial in the 2004 Casper Mountain Land Use Plan). Due to the unique nature and characteristics of the land in this zoning district, design standards and overlays have also been developed for slope protection and fire safety. Recognizing that development will occur in the MR-2 district, the intent of the standards and overlays is to protect property owners, visitors and wildlife from natural hazards, assure there is adequate access to all sites, develop land in a sensitive manner and reduce the costs associated with firefighting in more remote areas.

Manufactured homes which meet all the criteria in the definition of “manufactured home” in this resolution are permitted. See definition of manufactured homes and building codes for construction and installation requirements for manufactured homes.

Any home which does not meet these standards is considered a mobile home and is not permitted in the MR-2 district. The definition of a permanent home foundation includes the requirement that wheels and axles are removed and the unit is supported from concrete piers, which are 42 inches deep (frost line) at the manufacturers recommended locations. The unit must be tied down and a curtain wall of masonry or other approved material be installed on the perimeter of the unit. Specific details on the installation are available from the building department.

A unit which meets all the HUD code construction requirements, but which is not installed in accordance with county requirements is considered to be a mobile home. Manufactured housing may be restricted in any area through covenants.

For each Permitted or Conditional Use, check the definitions, Appendix A, and Design Criteria, Chapter VII, to determine requirements for that specific use.

b. The following are permitted uses in these districts:

- (1) Accessory buildings and uses.
- (2) Dwellings: one single family, manufactured home or seasonal dwelling per lot or tract.
- (3) Forest and wildlife management.
- (4) Family Child Care Home and Family Child Care Center
- (5) Home occupation.
- (6) Light agriculture, accessory to residential use on the same lot or tract.
- (7) Park, playground, golf course and other similar open space recreation facilities.
- (8) Storage of flammable or combustible liquids not to exceed 500 gallons, total.

- (9) Propane tank, not to exceed 2,000 gallons total.
- (10) Recreational vehicles (RV's) for seasonal use
- (11) Recreational vehicles (RV's) for temporary shelter of up to one year while dwelling construction is occurring
- (12) Other similar and compatible uses, as determined by the Board.

c. In addition to the above permitted uses the following uses may be approved by Conditional Use Permit:

- (1) Bed and breakfast.
- (2) Day care center.
- (3) Place of worship.
- (4) Public facility.
- (5) Recreational facility, public or private.
- (6) Small wind energy system (SWES)
- (7) Arena, recreational.
- (8) Eating and drinking (optional) establishments.
- (9) General store.
- (10) Utility installation.
- (11) Communication Towers and Wireless Telecommunication Facilities of any height which are owned and operated by commercial users providing services to the public and are located not less than one (1) mile from any other zoning district; Communication Towers greater than forty-five (45) feet in height, which are owned and operated by non-commercial users, including ham radio operators and other communications enthusiasts and are located not less than one (1) mile from any other zoning district; and any Communication Tower and Antenna combinations greater than seventy (70) feet in height, which are owned and operated by non-commercial users, including ham radio operators and other communications enthusiasts and are located not less than one (1) mile from any other zoning district. (See Chapter VII, Section 15—Communication Towers and Wireless Telecommunication Facilities)
- (12) Campgrounds
- (13) Commercial recreation
- (14) Mining: Aggregate extraction (See Chapter VII, Sec. 14 – Special Aggregate Regulations)
- (15) Other similar and compatible uses as determined by the board.

d. Minimum district size is 40 acres

e. Minimum lot size is 5 acres

f. Minimum set backs for principle and accessory buildings are as follows:

- (1) 25 feet adjacent to public roads.
- (2) 10 feet from all property lines not abutting a road.

g. Maximum height is 36 feet for all buildings, principle and accessory.

- h. Minimum open space is 50% of the lot area to be free from structures.

Section 5. Rural Residential (RR-1&2)

a. The intent and purpose of the RR-1&2 districts is to establish and protect an area for low density residential and accessory agricultural uses.

The RR-1 and RR-2 districts are the same with one key difference. Mobile homes are allowed in the RR-1 and not in the RR-2. Manufactured homes which meet all the criteria in the definition of "manufactured home" in this resolution are permitted in both districts. See definition of manufactured homes and building codes for construction and installation requirements for manufactured homes.

Any home which does not meet these standards is considered a mobile home and is not permitted in the RR-2 district. The definition of a permanent home foundation includes the requirement that wheels and axles are removed and the unit is supported from concrete piers, which are 42 inches deep (frost line) at the manufacturers recommended locations. The unit must be tied down and a curtain wall of masonry or other approved material be installed on the perimeter of the unit. Specific details on the installation are available from the building department.

A unit which meets all the HUD code construction requirements, but which is not installed in accordance with county requirements is considered to be a mobile home. Manufactured housing may be restricted in any area through covenants.

For each Permitted or Conditional Use, check the definitions, Appendix A, and Design Criteria, Chapter VII, to determine requirements for that specific use.

b. The following are permitted uses in these districts:

- (1) Accessory buildings and uses.
- (2) Animal clinic, animal shelter/kennel.
- (3) Arena, recreational.
- (4) Dwellings; two single family, mobile homes, manufactured homes or seasonal dwellings per lot or tract. RR-1 only.
- (5) Dwellings; two single family, manufactured homes or seasonal dwellings per lot or tract. RR-2 only.
- (6) Family Child Care Home and Family Child Care Center.
- (7) Farm Implement and feed sales and service.
- (8) Forest and wildlife management.
- (9) Greenhouse, commercial.
- (10) Home occupation.
- (11) Light agriculture, accessory to residential use on the same lot or tract.
- (12) Park, playground, golf course and other similar open space recreation facilities.
- (13) Small wind energy systems (SWES)
- (14) Storage of flammable or combustible liquids not to exceed 500 gallons, total.

(15) Other similar and compatible uses, as determined by the Board.

c. In addition to the above permitted uses the following uses may be approved by Conditional Use Permit:

- (1) Bed and breakfast.
- (2) Cemetery.
- (3) Club or lodge.
- (4) Collector Car Storage
- (5) Commercial recreation
- (6) Day Care Center.
- (7) Personal service shop.
- (8) Place of worship.
- (9) Public facility.
- (10) Recreational facility, public or private.
- (11) Sawmill.
- (12) School; elementary, junior and senior high, college, university, vocational trade, professional or business.
- (13) Utility installation.
- (14) Other similar and compatible uses as determined by the Board.

d. Minimum district size is 15 acres

e. Minimum lot size is 5 acres

f. Minimum set backs for principle and accessory buildings are as follows:

- (1) 25 feet adjacent to public roads.
- (2) 10 feet from all property lines not abutting a road.
- (3) 5 feet from all side lines and 8 feet from rear property lines for detached legally complying accessory structures.

g. Maximum height is 36 feet for residential buildings; no maximum for non-residential structures.

h. Minimum open space is 50% of the lot area to be free from structures.

Section 6. Suburban Residential - (SR-1&2)

a. The intent and purpose of the SR-1&2 districts is to establish and protect an area for low density residential and accessory agricultural uses.

The SR-1 and SR-2 districts are the same with one key difference. Mobile homes are allowed in the SR-1 and not in the SR-2. Manufactured homes which meet all the criteria in the definition of "manufactured home" in this resolution are permitted in both districts. See definition of manufactured homes and building codes for construction and installation requirements for manufactured homes.

Any home which does not meet these standards is considered a mobile home and is not permitted in the SR-2 district. The definition of a permanent home foundation includes the requirement that wheels and axles are removed and the unit is supported from concrete piers, which are 42 inches deep (frost line) at the manufacturers recommended locations. The unit must be tied down and a curtain wall of masonry or other approved material be installed on the perimeter of the unit. Specific details on the installation are available from the building department.

A unit which meets all the HUD code construction requirements, but which is not installed in accordance with county requirements is considered to be a mobile home. Manufactured housing may be restricted in any area through covenants.

For each Permitted or Conditional Use, check the definitions, Appendix A, and Design Criteria, Chapter VII, to determine requirements for that specific use.

b. The following are permitted uses in this district:

- (1) Accessory buildings and uses.
- (2) Animal clinic, animal shelter/kennel.
- (3) Dwelling: one single family home, mobile home, manufactured home or seasonal home per lot or tract (see definition of manufactured home). SR-1 only.
- (4) Dwelling: one single family home, manufactured home or seasonal home per lot or tract (see definition of manufactured home). SR-2 only.
- (5) Family Child Care Home.
- (6) Home occupation.
- (7) Light agriculture, accessory to residential use on the same lot or tract.
- (8) Park, playground, golf course and other similar open space recreation facilities.
- (9) Place of worship.
- (10) School; elementary, junior and senior high, college, university, vocational trade, professional or business.
- (11) Small wind energy system (SWES)
- (12) Specialty or sundry shop.
- (13) Other similar and compatible uses, as determined by the Board.

c. In addition to the above permitted uses, the following uses may be approved by Conditional Use Permit:

- (1) Arena, recreational.
- (2) Collector Car Storage.
- (3) Commercial recreation
- (4) Family Child Care Center and Child Care Center
- (5) Mini-warehouse
- (6) Mobile home park.
- (7) Public facility.
- (8) Recreational facility, public or private.
- (9) Utility installation.
- (10) Other similar and compatible uses, as determined by the Board.

d. Minimum district size is 6 acres.

e. Minimum lot size is 2 acres.

f. Minimum setbacks for principle and accessory buildings are as follows:

- (1) 25 feet adjacent to public roads.
- (2) 10 feet from all property lines not abutting a road.
- (3) 5 feet from all side lines and 8 feet from rear property lines for detached legally complying accessory structures.

g. Maximum height is 36 feet or three stories for all residential buildings.

h. Open space requirement is no structures on at least 50% of the lot.

Section 7. Urban Residential (UR)

a. The intent and purpose of the UR District is to establish and protect a medium to high density residential neighborhood. Mobile homes are not allowed. No business usage is allowed. It is further intended that this district should be suitable for future annexation to a municipality.

For each Permitted or Conditional Use, check the definitions, Appendix A, and Design Criteria, Chapter VII, to determine requirements for that specific use.

b. The following are permitted uses in this district:

- (1) Accessory buildings and uses.
- (2) Dwelling: one single family dwelling or manufactured home per lot. See definition of manufactured homes and building codes for construction and installation requirements for manufactured homes.
- (3) Family Child Care Home.
- (4) Home occupation.
- (5) Park, playground, golf course and other similar open space recreation facilities.
- (6) Small wind energy system (SWES)

c. In addition to the above permitted uses, the following uses may be approved by a Conditional Use Permit:

- (1) Cemetery.
- (2) Family Child Care Center and Child Care Center
- (3) Dwelling, multi-family, where public water and public sewer are provided.
- (4) Dwelling, two-family.
- (5) Light agriculture, accessory to residential use on the same lot or tract.
- (6) Mobile home park.
- (7) Place of worship.
- (8) Public facility.
- (9) School; elementary, junior and senior high, college, university, vocational trade, professional or business.
- (10) Utility installation.
- (11) Other similar and compatible uses as determined by the Board.

d. Minimum district size is 6 acres.

e. Minimum lot size is as follows:

- (1) 2 acres with private water and private sewer;
- (2) One half acre with either public water or public sewer;

(3) 9,000 square feet with public water and public sewer for single or two-family dwellings, plus 1,500 square feet for each additional unit.

f. Minimum setbacks for principle and accessory buildings are as follows:

- (1) 25 feet from front property line.
- (2) 10 feet from side and rear property lines except corner lots shall have 25 feet from the street side property line.
- (3) 5 feet from all side lines and 8 feet from rear property lines, for detached legally complying accessory buildings.

g. Maximum height is 36 feet.

h. Open space shall be at least 20% of the lot free of structures.

Section 8. Urban Mixed Residential (UMR)

a. The intent and purpose of the UMR District is to establish and protect a medium to high density residential neighborhood. Uses include a limited number of compatible neighborhood business uses. Mobile homes are also allowed. It is further intended that this district should be suitable for future annexation to a municipality.

For each Permitted or Conditional Use, check the definitions, Appendix A, and Design Criteria, Chapter VII, to determine requirements for that specific use.

b. The following are permitted uses in this district:

- (1) Accessory buildings and uses.
- (2) Dwelling: one single family, mobile home or manufactured home. See definition of manufactured homes and building codes for construction and installation requirements for manufactured homes.
- (3) Dwelling, two-family.
- (4) Family Child Care Home.
- (5) Home occupation.
- (6) Park, playground, golf course and other similar open space recreation facilities.
- (7) Small wind energy system (SWES)

c. In addition to the above permitted uses, the following uses may be approved by Conditional Use Permit:

- (1) Auto service station.
- (2) Business, retail; excluding outdoor storage.
- (3) Cemetery.
- (4) Collector Car Storage
- (5) Convenience store.
- (6) Family Child Care Center and Child Care Center
- (7) Dwelling, multi-family, where public water and public sewer are provided.
- (8) Group Home.
- (9) Light agriculture, accessory to residential use on the same lot or tract.
- (9) Mobile home park
- (10) Mortuary
- (11) Personal service shop.
- (12) Pharmacy.
- (13) Place of worship.
- (14) Public facility.
- (15) Recreational facility, public or private.
- (16) School; elementary, junior and senior high, college, university, vocational trade, professional or business.
- (17) Specialty or sundry shop.

- (18) Utility installation.
 - (19) Commercial recreation.
 - (20) Other similar and compatible uses as determined by the Board.
- d. Minimum district size is 6 acres.
- e. Minimum lot size is as follows:
- (1) 2 Acres with private water and sewer;
 - (2) 1/2 acre with either public water or sewer;
 - (3) 9,000 square feet with public water and public sewer for single or two family dwellings, plus 1,500 square feet for each additional unit.
 - (4) The Commission and Board may reduce the minimum lot size to as small as 6,500 square feet for mobile homes or single family dwellings in areas which are within one (1) mile of a municipality and served by public water and public sewer.
- f. Minimum setbacks for principle and accessory buildings are as follows:
- (1) 25 feet adjacent to all roads;
 - (2) 10 feet from all property lines not abutting a road.
 - (3) 5 feet from all side property lines and 8 feet from all rear property lines for all detached legally complying accessory buildings.
- g. Maximum height is 36 feet or three stories whichever is higher.
- h. Open space shall be 20% of the lot free of structures.

Section 9. Mobile Home (MH)

a. The intent and purpose of the MH District is to establish and protect a high density residential neighborhood for mobile home parks, mobile home subdivisions, and mobile homes on individual lots. This district shall be served by a public water and public sewer system designed to serve the maximum density permitted in the District.

For each Permitted or Conditional Use, check the definitions, Appendix A, and Design Criteria, Chapter VII, to determine requirements for that specific use.

b. The following are permitted uses in this district:

- (1) Accessory buildings and uses. Accessory buildings on a lot or space shall not exceed 1,000 square feet total.
- (2) Dwelling: single family, mobile home, manufactured home, one per lot or space.
- (3) Family Child Care Home.
- (4) Home occupation.
- (5) Mobile home park (see Chapter VII – Design Criteria and Procedures).
- (6) Park, playground, golf course and other similar open space recreation facilities.
- (7) Small wind energy system (SWES)

c. In addition to the above permitted uses, the following uses may be approved by a Conditional Use Permit:

- (1) Campground.
- (2) Family Child Care Center and Child Care Center
- (3) Mini-warehouse.
- (4) Place of worship.
- (5) Public facility.
- (6) Utility installation.
- (7) Other similar and compatible uses as determined by the Board.

d. Minimum district size is 3 acres.

e. Minimum lot or space size is 4,000 square feet.

f. Minimum setbacks for mobile home parks for principle and accessory buildings are as follows:

- (1) 25 feet adjacent to all public roads;
- (2) 8 feet adjacent to all private roads
- (3) 15 feet between mobile homes
- (4) 5 feet from the perimeter property line

(5) 5 feet from all property lines and for all detached, legally complying accessory buildings.

g. Minimum setbacks for mobile home subdivisions are as follows:

(1) 25 feet adjacent to all public roads;

(2) 7 ½ feet from all property lines not abutting a road.

(3) 5 feet from all property lines and for all detached, legally complying accessory buildings.

h. Maximum height is 24 feet for all buildings.

i. Open space shall be 20% of the lot area free from structures.

Section 10. Commercial (C)

a. The intent and purpose of the C district is to establish and protect a general business district for both wholesale and retail uses as well as service and office uses. It includes businesses requiring outdoor storage. One residence is also allowed on each lot.

For each Permitted or Conditional Use, check the definitions, Appendix A, and Design Criteria, Chapter VII, to determine requirements for that specific use.

b. The following are permitted uses in this district:

- (1) Accessory buildings and uses.
- (2) Amusement center.
- (3) Animal clinic, animal shelter/kennel.
- (4) Arena, commercial.
- (5) Auto and truck wash.
- (6) Auto repair station.
- (7) Auto service station.
- (8) Automobile, truck and trailer sales.
- (9) Auto wrecker service.
- (10) Bank, savings and loan or credit union.
- (11) Bar and lounge.
- (12) Bus terminal.
- (13) Business, retail; with or without outdoor storage.
- (14) Business, wholesale; with or without outdoor storage.
- (15) Club or lodge.
- (16) Commercial recreation
- (17) Communication studio.
- (18) Convenience store.
- (19) Drive-through facility.
- (20) Dwelling; single family, mobile home or manufactured home; one per lot, as the only building on the lot or in addition to permitted commercial buildings.
- (21) Family Child Care Home, Family Child Care Center and Child Care Center
- (22) Farm implement and feed sales and service.
- (23) Frozen food locker.
- (24) Greenhouse, commercial.
- (25) Heavy equipment sales and service.
- (26) Home occupation.
- (27) Hospital.
- (28) Laundromat.
- (29) Library.
- (30) Liquor store.
- (31) Lumber yard.
- (32) Mini-warehouse.

- (33) Mobile home sales and service.
- (34) Mobile home storage.
- (35) Mortuary.
- (36) Motel/hotel.
- (37) Nursing home.
- (38) Office, general.
- (39) Oil field or mining equipment.
- (40) Parking structure.
- (41) Pharmacy.
- (42) Place of worship.
- (43) Recreational facility, public or private.
- (44) Research and lab facility.
- (45) Restaurant or café.
- (46) Sign, billboard advertising pursuant to Chapter VII, Design Criteria and Procedures, Section 4, Signs.
- (47) School; elementary, junior and senior high, college, university, vocational trade, professional or business.
- (48) Small wind energy system (SWES)
- (49) Specialty or sundry shop.
- (50) Storage of flammable or combustible liquids not to exceed 12,000 gallons.
- (51) Theater.
- (52) Truck stop.
- (53) Truck terminal.
- (54) Warehouse

c. In addition to the above permitted uses, the following uses may be approved by a Conditional Use Permit:

- (1) Adult entertainment establishment (See Chapter VII, Design Criteria and Procedures).
- (2) Campground.
- (3) Communication Towers and Wireless Telecommunication Facilities of any height which are owned and operated by commercial users providing services to the public and are located not less than one (1) mile from any other zoning district; Communication Towers greater than forty-five (45) feet in height, which are owned and operated by non-commercial users, including ham radio operators and other communications enthusiasts and are located not less than one (1) mile from any other zoning district; and any Communication Tower and Antenna combinations greater than seventy (70) feet in height, which are owned and operated by non-commercial users, including ham radio operators and other communications enthusiasts and are located not less than one (1) mile from any other zoning district. (See Chapter VII, Section 15—Communication Towers and Wireless Telecommunication Facilities)
- (4) Manufacturing.
- (5) Meat processing.
- (6) Public facility

- (7) Sanitary landfill, sewage treatment facility.
 - (8) Sign, billboard advertising over 480 square feet (See Chapter VII, Design Criteria and Procedures, Section 4, Signs).
 - (9) Storage of flammable or combustible liquids in excess of 12,000 gallons.
 - (10) Utility installation.
 - (11) Other similar and compatible uses as determined by the Board.
- d. No minimum district size
- e. Minimum lot size is as follows:
- (1) 2 acres without public water or sewer
 - (2) ½ acre with either public water or sewer
 - (3) Minimum lot width without public water or sewer, 200 feet
 - (4) Minimum lot width with public water or sewer, 100 feet
- f. Minimum setbacks for principle and accessory buildings are as follows:
- (1) Twenty-five feet adjacent to all federal, state and county roads.
 - (2) Ten feet adjacent to other roads and property lines.
- g. Maximum height is 36 feet or three stories whichever is more.
- h. Open space required is 10% of the lot area free from structures.

Section 11. Light Industrial (LI)

a. The intent and purpose of the Light Industrial District is to provide for light manufacturing and storage facilities.

For each Permitted or Conditional Use, check the definitions, Appendix A, and Design Criteria, Chapter VII, to determine requirements for that specific use.

b. The following are permitted uses in this district:

- (1) Accessory buildings and uses.
- (2) Airport.
- (3) Animal clinic, animal shelter/kennel.
- (4) Auto and truck wash.
- (5) Auto repair station.
- (6) Auto service station.
- (7) Auto wrecker service.
- (8) Automobile, truck and trailer sales.
- (9) Bottling factory.
- (10) Business, retail; with or without outdoor storage.
- (11) Business, wholesale; with or without outdoor storage.
- (12) Bus terminal.
- (13) Construction yard and shop.
- (14) Convenience store.
- (15) Dairy processing, commercial.
- (16) Dwelling; single family, mobile home or manufactured home; one per lot,
as the only building on the lot or in addition to permitted industrial buildings.
- (17) Farm implement and feed sales and service.
- (18) Food processing.
- (19) Frozen food locker.
- (20) Greenhouse, commercial.
- (21) Heavy equipment sales and service.
- (22) Heliport.
- (23) Laundry, commercial.
- (24) Lumber yard.
- (25) Manufacturing.
- (26) Meat processing.
- (27) Mineral processing and refining (oil and gas excepted).
- (28) Mobile home sales and service.
- (29) Mobile home storage.
- (30) Oil field or mining equipment.
- (31) Parking structure.
- (32) Research and lab facility.
- (33) Restaurant or café.
- (34) Sign, billboard advertising pursuant to Chapter VII, Design Criteria and Procedures, Section 4, Signs.

- (35) Small wind energy system (SWES)
- (36) Storage of flammable and combustible liquids not to exceed 12,000 gallons.
- (37) Storage, outdoor
- (38) Supply and service shop, including plumbing, welding, electrical and building.
- (39) Truck stop.
- (40) Truck terminal.
- (41) Utility installation
- (42) Warehousing

c. In addition to the above permitted uses, the following uses may be approved by Conditional Use Permit:

- (1) Adult entertainment establishment (see Chapter VII – Design Criteria and Procedures).
- (2) Arena, commercial.
- (3) Auto reduction and recycling.
- (4) Collector Car Storage
- (5) Commercial recreation.
- (6) Communication Towers and Wireless Telecommunication Facilities of any height which are owned and operated by commercial users providing services to the public and area located not less than one (1) mile from any other zoning district; Communication Towers greater than forty-five (45) feet in height, which are owned and operated by non-commercial users, including ham radio operators and other communications enthusiasts and are located not less than one (1) mile from any other zoning district; and any Communication Tower and Antenna combinations greater than seventy (70) feet in height, which are owned and operated by non-commercial users, including ham radio operators and other communications enthusiasts and are located not less than one (1) mile from any other zoning district. (See Chapter VII, Section 15—Communication Towers and Wireless Telecommunication Facilities)
- (7) Correctional facility (see Chapter VII – Design Criteria and Procedures).
- (8) Hot mix plant.
- (9) Pipe yards, drill rig assembly.
- (10) Public facility.
- (11) Salvage yard.
- (12) Sanitary landfill, sewage treatment facility.
- (13) Sign, billboard advertising over 480 square feet, (See Chapter VII, Design Criteria and Procedures, Section 4, Signs).
- (14) Storage of flammable and combustible liquids in excess of 12,000 gallons.
- (15) Other similar and compatible uses as determined by the Board.

d. Minimum district size: 6 acres.

e. Minimum lot size is as follows:

- (1) 2 acres without public water or sewer
 - (2) ½ acre with either public water or sewer
 - (3) Minimum lot width without public water or sewer, 200 feet
 - (4) Minimum lot width with public water or sewer, 100 feet
- f. Minimum setbacks for principle and accessory buildings are as follows:
- (1) 25 feet adjacent to all federal, state and county roads.
 - (2) 10 feet adjacent to other roads and property lines.
 - (4) 100 feet from all property lines adjacent to a residential district.
- g. No maximum height.
- h. No required open space.

Section 12. Heavy Industrial (HI)

a. The intent and purpose of the HI district is to create and preserve an area for industrial uses of that require isolation from many other land uses.

For each Permitted or Conditional Use, check the definitions, Appendix A, and Design Criteria, Chapter VII, to determine requirements for that specific use.

b. The following are permitted uses in this district:

- (1) Accessory buildings and uses.
- (2) Auto and truck wash.
- (3) Auto wrecker service.
- (4) Automobile, truck and trailer sales.
- (5) Business, retail; with or without outdoor storage.
- (6) Business, wholesale; with or without outdoor storage.
- (7) Chemical plant, processing and storage.
- (8) Concrete batch plant.
- (9) Construction yard and shop.
- (10) Creosote manufacturing and treating.
- (11) Gas and LPG processing plant.
- (12) Heavy equipment sales and service.
- (13) Hot mix plant.
- (14) Mineral manufacturing, refining and processing.
- (15) Oil field or mining equipment.
- (16) Pipe yards, drill rig assembly.
- (17) Pipeline terminal and pump station.
- (18) Pre-cast concrete manufacturing.
- (19) Refinery.
- (20) Rendering plant.
- (21) Restaurant or cafe.
- (22) Sanitary landfill, sewage treatment facility.
- (23) Sawmill.
- (24) Sign, billboard advertising pursuant to Chapter VII, Design Criteria and Procedures, Section 4, Signs.
- (25) Small wind energy system (SWES)
- (26) Storage, indoor and outdoor.
- (27) Storage of flammable and combustible liquids not to exceed 12,000 gallons.
- (28) Truck stop.
- (29) Truck terminal.
- (30) Warehouse.

c. In addition to the above permitted uses, the following uses may be approved by Conditional Use Permit:

(1) Mining: aggregate extraction (See Chapter VII, Design Criteria and Procedures).

(2) Auto reduction/recycling center.

(3) Collector Car Storage

(4) Communication Towers and Wireless Telecommunication Facilities of any height which are owned and operated by commercial users providing services to the public and are located not less than one (1) mile from any other zoning district; Communication Towers greater than forty-five (45) feet in height, which are owned and operated by non-commercial users, including ham radio operators and other communications enthusiasts and are located not less than one (1) mile from any other zoning district; and any Communication Tower and Antenna combinations greater than seventy (70) feet in height, which are owned and operated by non-commercial users, including ham radio operators and other communications enthusiasts and are located not less than one (1) mile from any other zoning district. (See Chapter VII, Section 15—Communication Towers and Wireless Telecommunication Facilities)

(5) Manufacturing, and storage of explosives.

(6) Public facility.

(7) Railroad, tracks, switching, transloading

(8) Rail facilities, spurs

(9) Salvage yard.

(10) Security quarters, subject to the following conditions:

(i) The only employee accommodations allowed in the District are exclusively for a caretaker or watchman employed specifically for the purpose of providing full-time security and/or maintenance.

(ii) The employee accommodations shall be contained within a building containing a permitted use or, if outside the building, the employee accommodations shall be a mobile home or travel trailer. No permanent security structures shall be permitted on site.

(iii) The employee accommodations must be on the same property and under the same ownership as the use for which the occupants are providing security or maintenance.

(iv) All applicable covenants, bulk regulations, building codes and health department regulations shall be complied with.

(11) Sign, billboard advertising over 480 square feet, (See Chapter VII, Design Criteria and Procedures, Section 4, Sign Regulations).

(12) Storage of flammable and combustible liquids in excess of 12,000 gallons.

(13) Toxic and hazardous waste storage.

(14) Utility installation.

(15) Other similar and compatible uses as determined by the Board.

d. Minimum district size is 10 acres.

e. Minimum lot size is 2 acres.

f. Minimum setbacks for principle and accessory buildings are as follows:

- (1) 60 feet adjacent to all Federal, State and County roads.;
- (2) 40 feet adjacent to all other roads;
- (3) 10 feet from all property lines not abutting a road; 150 feet adjacent to a business or residential district.

g. No Maximum height.

h. No minimum open space.

Section 13. Airport Overlay District (A-D)

a. The intent and purpose of the Airport District is to limit construction of structures which might interfere with airplane safety and to avoid conflict between airplane noise and residential use.

b. Areas in the vicinity of the Natrona County International Airport more particularly described as follows: rectangular area of land beginning 200 feet beyond the end of all runways, 2,000 feet on each side of the extended center line of each runway in width by 10,000 feet in length and shown on the zoning map. Uses in these areas shall not create electrical interference with radio communications between the airport and the aircraft, make it difficult for flyers to distinguish between airport lights and others, result in glare in the eyes of flyers using the airport, impair visibility in the vicinity of the airport, or otherwise endanger the safe landing, takeoff or maneuvering of aircraft.

c. Airport elevation is the established elevation of the highest point on the usable landing area.

d. Airport hazards are structures, trees or a use of land which obstructs the airspace required for, or are otherwise hazardous to, the flight of aircraft in landing or taking off at the airport.

e. The Airport Influence Area is that area of land surrounding the Natrona County International Airport and shown on the Constraints Overlay Map. Any development or change of land use in this area, including all lands lying adjacent to or within one (1) mile of Airport Influence Area boundaries, shall be reviewed by the Natrona County International Airport Board of Trustees and the Airport Manager for compatibility with Airport Influence Area restrictions. Avigation easements are required for all development or change of land use in the Airport Influence Area. The Natrona County International Airport Board of Trustees and Airport Manager shall submit any questions, comments and recommendations, associated with their review of development or change of land use adjacent to and within the Airport Influence Area, to the Natrona County Development Department within ten (10) business days after receipt of information from the Development Department concerning said development or change of land use.

f. The airport reference point is the point established as the approximate geographic center of the airport landing area and so designated.

g. The following are permitted uses in this district:

(1) Notwithstanding any other provisions of this Resolution, no use may be made of land within any zone established by this Resolution in such manner as to:

(a.) Create electrical interference with radio communication between the airport and aircraft,

others,

- (b) Make it difficult for flyers to distinguish between airport lights and
- (c) Result in glare in the eyes of flyers using the airport,
- (d) Impair visibility in the vicinity of the airport,
- (e) Or, otherwise endanger the landing, taking off, or maneuvering of aircraft.

(2) No dwelling units shall be allowed except in conjunction with agriculture, industry, or business within the Airport District, and no structure shall hereafter be constructed in the Airport District until such time as the Avigation Easement (on the following page) has been executed by the owner and the Board.

h. No structure shall exceed the heights recommended by the Federal Aeronautics Administration for instrument runways (maximum height).

NATRONA COUNTY AVIATION EASEMENT

WHEREAS, _____, hereinafter called the "Grantor", is the owner in fee simple of that certain parcel of land situated in the County of Natrona, State of Wyoming, to wit:

Hereinafter called "Grantor's Property", and outlined on the attached map:

NOW, THEREFORE, for good and valuable consideration paid by the Grantee, hereinafter named, to the Grantor, the receipt and sufficiency of which is hereby specifically acknowledged, the Grantor, its successors and assigns, hereby grants, bargains, sells and conveys unto the County of Natrona, its successors and assigns, the Grantee, for the use and benefit of the public, a perpetual easement and right-of-way over that portion of the Grantor's land described above, for the purpose of the passage of all aircraft ("aircraft" being defined for the purpose of this instrument as any device now known or hereafter invented, used, or designated for navigation of, or flight in the air) by whomsoever owned and operated, in the air space to an infinite height above the surface of the Grantor's Property, together with the right to cause in said air space noise, vibration and all other effects that may be caused by the operation of aircraft, landing at or taking off from, or operated at, or on the Natrona County International Airport located in Natrona County, Wyoming; the Grantor hereby waives, remises and releases any right or cause of action which Grantor has now, or which Grantor may have in the future, against the Grantee, its successors and assigns, due to such noise, vibration and other effects that may be caused by the operation of aircraft landing at, taking off from, or operating at or on the Natrona County International Airport, Natrona County, Wyoming; the Grantor further grants that upon said property.

(a) no use shall be permitted that causes a discharge into the air of fumes, smoke or dust permitted that will obstruct visibility and adversely affect the operation of a aircraft, or cause any interference with navigational facilities necessary to aircraft operation, and

(b) No development or construction shall be permitted which will interfere in any way with the safe operation of aircraft in the air space over the land described herein. TO HAVE AND TO HOLD said easement and right-of-way and all rights appertaining thereto unto the Grantee, its successors and assigns, until the Natrona County International Airport shall be abandoned and shall cease to be used for public airport purposes. It is specifically understood and agreed that this easement, its covenants and agreements shall run with the land, which is described herein. The Grantor, on behalf of itself, its successors and assigns, further acknowledges that the easement herein granted contemplates and includes all existing and future operations of the Natrona County International Airport, Natrona County, Wyoming, in that the rights, obligations, and covenants herein set forth shall not terminate or vary in the event of changes in the flight volume or noise traffic patterns, runway lengths or locations, or characteristics of aircraft using the Natrona County International Airport, Natrona County, Wyoming.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal this day of _____, 20__.

ACKNOWLEDGEMENT
STATE OF WYOMING)
COUNTY OF NATRONA)

The foregoing instrument was acknowledged before me by _____ this _____ day of _____ 20__.

Notary Public
My Commission Expires:

Section 14. Planned Unit Development (PUD)

a. The intent and purpose of the PUD District is to establish a flexible procedure for lots of land which are to be planned and developed as a whole; using a unified design, encouraging creative methods, and a mixture of uses or design patterns not permitted in any other established zoning district. It is further the intent of this district to encourage the proper planning and design of these areas by providing for submission of concept plans and specific development plans by prospective developers. Land zoned PUD may be used for residential, business or industrial purposes, or certain combinations thereof, as approved by the Commission and Board.

Buildings may be clustered and/or set on lots of a size smaller than normally required by the Resolution and which may result in an overall density the same or slightly greater than is required by this Resolution, but which contains large open park-like areas with building concentrated in a few areas. Individual properties may be owned in fee with joint ownership of the open space.

b. In order that land be considered for a PUD, it must comply with the following minimum district requirements:

- (1) Five (5) acres, if used for residential purposes only.
- (2) Ten (10) acres, if used for a combination of residential and business uses or business uses only.
- (3) Twenty (20) acres, if used for a combination of business and industrial uses only.

c. In order that land be considered for a PUD, it must meet the following requirements:

(1) Areas zoned PUD must be suitable for the development proposed without creating hazards to persons or property on or off the site from probability of flooding, erosion, subsidence or slipping of the soil; and other dangers, annoyances or inconveniences. Areas must be compatible with the Natrona County Development Plan and Map; the Natrona County Land Use goals and policies; and the Constraints Overlay Section of this Resolution (Physical Character of the Site).

(2) Areas zoned PUD must have direct access to streets, roads or highways with a minimum 60' right-of-way, without creating traffic problems on streets or roads outside the PUD. Areas zoned PUD must be so located in relation to existing or extendible utilities and public services that no additional public expense will be involved, or the developer must offset added public expense (Location Requirements).

(4) Areas zoned PUD must comply with the following design standards:

(a) Encouragement of land use concepts not otherwise permitted in another established zoning district, such as: cluster development, open space and

scenic preservation, provision of community areas or a unique and compatible mixture of uses.

(b) Must provide a minimum of usable open space which is free from structures or off-street parking areas per the following, unless found reducible upon proof submitted:

- (i.) Residential only: 20% of the total site area.
- (ii.) Business only: 10% of the total site area.
- (iii.) Industrial only: 5% of the total site area.
- (iv.) Residential/Business combination: 20% of the total site area.
- (v.) Business/Industrial combination: 10% of the total site area.

(A.) Must comply with established parking area and loading and unloading area provisions that would be necessary for the equivalent amount of individual development, as required in the parking and loading sections of this Resolution, unless found reducible upon proof submitted by the developer that effectiveness of large-scale development may permit such reduction without destroying the intent of this Resolution.

(B.) Must provide landscaping appropriate to the development.

(C.) Access points to arterial streets must be approved, in writing, by the County and other appropriate agencies.

(D.) Must use buffer areas of open space or planted screens between abrupt changes of land use within the development.

(E.) May use a higher density than normally allowed in similar districts, if determined by the Commission, providing said density does not destroy the intent of this Resolution and is warranted by the creative design of the development.

(F.) Must meet other conditions, applicable to a particular development and as determined by the Commission.

(G.) Must initiate construction within one (1) year after approval of the concept plan by the Board or the applicant must submit a written request for an extension to the Board. Extensions may be granted up to one (1) year. If construction is not initiated within the time limit, the subject property may be initiated for rezoning by the Commission.

d. In order that land be considered for a PUD, it must comply with the following procedures:

(1) Prior to submission of any application for a PUD, the developer must meet with the County Planner to discuss the proposal.

(2) Proposals for PUDs shall require submission of a concept plan and a subdivision permit application, if necessary. The concept plan shall consist of:

- (a) Proof of ownership and a legal description of all land to be included in the PUD.
- (b) The general anticipated architectural theme and building type(s) distinguishing the general uses proposed.
- (c) The approximate acreage or square footage of each general use proposed.
- (d) The portion and location of land to be retained for open space.
- (e) The portion and location of land to be retained for public purposes, such as schools and fire stations.
- (f) Provisions to be made for water, waste water, solid waste disposal and road maintenance.
- (g) Evaluation of the impact on County services and steps to mitigate those impacts.
- (h) Provisions to be made for access to the PUD.
- (i) A written statement of the objectives to be achieved by the PUD.
- (j) A general statement of anticipated gross density levels within each proposed land use category. For residential uses, density shall be determined by number of residential units per acre. For commercial and industrial uses, density shall be determined by gross floor area.

(i.) Upon receipt of the plan and the application(s), the Commission shall hold a public hearing in the manner prescribed for zone changes. The hearing shall be held to determine the acceptability of the proposed development to the adjacent property owners and the suitability of the proposal for the PUD designation.

(ii.) After consideration by the Commission, the proposal shall be forwarded to the Board, with the recommendation of the Planning Commission, for a public hearing, as prescribed for zone changes. If the Board approves the proposal, the developer shall then submit a specific development plan consisting of engineering, architectural, landscaping and site plans for review by the County Building Inspector, County Surveyor, County Health Department, County Planner and the Commission. The concept plan approved by the Board shall not be altered unless the developer requests said alteration, in writing, to the Board and submits an altered concept plan for consideration by the Commission and the Board.

(iii.) If the development is constructed in stages, the total area shall be reviewed at the public hearings and each successive stage shall require the submission of a specific development plan consisting of engineering, architectural, landscaping and site plans, for review and approval by the County Building Inspectors, County Surveyor, County Health Department, County Planner and the Commission. Stages and estimated time of completion must be submitted on or with the concept of the plan.

(iv.) The specific development plan, as approved by the Commission, shall be binding and shall not be altered during the construction of the PUD, except as hereinafter set forth.

(v.) Minor alterations in location, siting, alignment or bulk of structures, placement or type of plant material, change in grade, height or character of structures; or other similar alterations may be authorized by the County Planner if required by circumstances not foreseen at the time the specific development plan was approved.

(vi.) All other alterations in use, intent, rearrangement of lots, realignment of major circulation patterns, density levels, provisions governing common or open spaces or the ratio thereof, or any other alterations that substantially change the PUD, must be approved by the Commission and County Board at a public hearing for which public notice is given. The same type and quality of data shall be required as was necessary for the original final approval and passage.

Section 15. BP Soil Management District.

a. Purpose: The BP Soil Management (BPSM) District is intended to control excavation and construction in areas on which the soil is contaminated as a result of BP's former refining operations in Natrona County and corrective action is required pursuant to a Remedy Decision by the Wyoming Environmental Quality, as defined by the Voluntary Remediation Act, W.S. 35-11-101 et seq. This District is intended to promote the protection of human health and the environment on the property and the persons occupying and using the property.

b. Designation and Revision of Land within the BP Soil Management District. The Commission may designate and revise the areas of land within the BPSM District based on information provided by the Wyoming Department of Environmental Quality, Amoco Oil Company or its parent corporation BP, (which the WDEQ has determined is the responsible party) or the property owner. The designation may be amended by submitting a petition to the Board of County Commissioners, and notice as required by Wyoming Administrative Procedures Act, and notice is published of a public hearing before the Natrona County Planning Commission and Board of County Commissioners.

Parcel #1:

The property designed in this Soil Management District includes areas in the vicinity of the former Amoco Refinery, in particular, 1.03 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 8, T33N, R79W, also known as 1100 West Collins, Casper, Wyoming, and described as follows:

That part of the northeast quarter of the southeast quarter of Section 8, Township 33 North, Range 79 West of the Sixth Principal Meridian, bounded and described as follows:

Commencing at the intersection of the northwesterly line of Railroad Street (also known as Collins Avenue), and the northerly extension of the east line of Willow Street; thence along said northwesterly line of Railroad Street a distance of 90 feet to the point of beginning of the parcel of land herein described; and thence continuing northeasterly along said northwesterly line of Railroad Street a distance of 325 feet; thence northwesterly along a line at right angles to the last described course a distance of 143.70 feet to a point distant 8.5 feet southeasterly, measured at right angles from the centerline a distance of 324 feet to a point on a line drawn at right angles to said northwesterly line of Railroad Street through the point of beginning; thence southeasterly along said last described right angle a distance of 143.70 feet to the point of beginning.

Parcel #2:

The WDEQ had decided in its Remedy Decision #2 that certain property southwest of the former Amoco Pipeline Tank Farm be included with the BPSM District and is described as follows:

A Parcel located in and being portions of the NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 7, Township 33 North, Range 79 West of the Sixth Principal Meridian, Natrona County, Wyoming and being more particularly described by metes and bounds as follows:

Commencing at the NE $\frac{1}{4}$ Corner of said Section 7; thence S.0°59'W., 13.95 feet along the sixteenth line to a point of intersection with the southerly right-of-way line of U.S. Highway 20-26 and the northerly line of the parcel herein being described and said point of intersection being the true Point of Beginning.

Thence from the true Point of Beginning and along the southerly right-of-way line of said U.S. Highway being the northerly line of said Parcel, 116.77 feet along the arc of a true curve to the left having a radius of 5809.58 feet through a central angle of 1° 09'05" the chord of which bears S.75°37'34"E. to an angle point in said line; thence continuing along said line S.13°56'44"., 19.92 feet to an angle point in said line; thence continuing along said line 854.72 feet along the arc of a true curve to the left having a radius of 5829.58 feet and through a central angle of 8°24'

the chord of which bears S80°23'E.to a point in said line being the northeasterly corner of the Parcel herein being described; thence along the easterly line of said Parcel, S.31°40'E. 119.75 feet to a point of intersection with the northerly bank of the North Platte River, being the southeasterly line of said Parcel and said point of intersection being the southeasterly corner of the Parcel herein being described; thence continuing along the southeasterly line of said Parcel being the northerly line of said River, S.46°41'W., 802.4 feet to a point; thence S.29°59'W., 371.4 feet to a point of intersection with the northeasterly right-of-way line of the Chicago and Northwestern Railroad; thence along said railroad right-of-way being the southerly line of said Parcel, N.58°36'W., 107.7 feet to a point; thence leaving said Railroad right-of-way line, N.26°36'E., 412.0 feet to a point of intersection with the southwesterly bank of Casper Creek being the southwesterly line of the Parcel herein being described; thence along the southwesterly line of said Casper Creek, N.49°39'W., 109.40 feet to an angle point in said line; thence continuing along said line N.56°20'W., 71.2 feet to an angle point in said line; thence continuing along said line, N.38°57'W., 76.0 feet to an angle point in said line; thence continuing along said line, N.40°15'W., 238.9 feet to an angle point in said line; N.47°18'W., 161.6 feet to an angle point in said line; thence continuing along said line, N.51°46'W., 179.4 feet to an angel point in said line; thence continuing along said line, N43°15'W., 206.4 feet to a point in said line of which the southwesterly line of said Parcel departs from the southwesterly line of Casper Creek and bears S.51°08'W., 126.9 feet to an angle point in the southwesterly line of said Parcel; thence continuing along the southwesterly line of said Parcel, N.38°52'W., 25.0 feet to an angle point in said line; thence continuing along the southwesterly line of said Parcel, N.51°08'E., 143.5 feet to a point of intersection with the centerline of Casper Creek being the southwesterly line of the Parcel herein being described; thence continuing along the southwesterly line of said Parcel being the centerline of Casper Creek, N.42°50'W., 174.0 feet to a point of intersection with the southerly right-of-way line of U.S. Highway 20-26 being the northerly line of said Parcel and said point of intersection being the northwesterly corner of said Parcel herein being described; thence continuing along the northerly line of said Parcel being the southerly right-of-way line of said U.S. Highway, S74°08'30"E., 465.03 feet to an angle point in said line; thence continuing along said line N.15°53'53"E., 10.0 feet to a point of curvature in said line; thence continuing southeasterly along said line 82.8 feet along the arc of a true curve to the left having a radius of 5809.58 feet through a central angel of 0°49' the chord of which bears S.74°38'32"E. to the True Point of Beginning and containing 14.7 acres, more or less.

Parcel #3:

The WDEQ had decided in its Remedy Decision #2 that certain property southwest of the former Amoco Pipeline Tank Farm be included with the BPSM District and is described as follows:

A Parcel located in and being a portion of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 7, Township 33 North, Range 79 West of the Sixth Principal Meridian, Natrona County, Wyoming and being more particularly described by metes and bounds as follows:

Commencing at the northeasterly corner of said NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 7; thence along the easterly line thereof, S.0°31'W., 332.49 feet to the northeasterly corner of the Parcel being described and the true Point of Beginning;

Thence from said Point of Beginning and along the easterly line of said Parcel and NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 7, S.0°31'W., 971.53 feet to the southeasterly corner of said Parcel and a point being 75 feet parallel and perpendicularly to the northerly side of the centerline of the Burlington Northern Inc. main track; thence along the southerly line of the Parcel being described and parallel to the centerline of said main track as measured 75.00 feet northerly and radially there from and along the arc of a true curve to the right, having a radius of 3669.83 feet and through a central angle of 15°14'57", westerly, 976.72 feet, the chord of which bears N.78°30'11"W., 973.84 feet to a point and southwesterly corner of said Parcel and a point in the easterly line of 80 feet wide Salt Creek Highway; thence along the westerly line of said Parcel and the easterly line of said Highway, N.30°20'W., 14.89 feet to a point of curve; thence along the arc of a true curve to the right, having a radius of 459.06 feet and through a central angle of 21°50', northerly, 174.93 feet, the chord of which bears N.19°14'04"W., 174.03 feet to a point of tangency; thence along the westerly line of said Parcel and the easterly line of said Highway, N.8°14'02"W., 345.56 feet to the northwesterly corner of said Parcel; thence along the northerly line of said Parcel, N.81°28'43"E., 285.71 feet to a point; thence S.53°31'50"E., 418.40 feet to a point; thence N.60°19'15"E., 223.15 feet to a point; thence N.43°26'18"E., 202.00 feet to a point; thence NORTH, 293.15 feet to a point in the southwesterly line of Lot 24, Center West, an Addition to the Town of Mills, Wyoming; thence along the southerly line of said Lot 24, Center West, S.54°48'10"E., 152.76 feet to the Point of Beginning and containing 14.554 acres, more or less.

c. Requirements for Excavation and Construction within the BP SM District. Within the BPSM District all excavations or constructions (including fill, new construction, substantial improvements, and other excavation, construction or development) shall be conducted in accordance with the requirements of the Title and other applicable regulations.

d. Building Permit Required. A Building Permit is required before any excavation can be made or any structure can be constructed, located, extended, converted or structurally altered within the BPSM District. Any manmade changes in land within the BPSM District must be made in full compliance with the terms of this resolution and other applicable regulation.

e. Special Requirements. In addition to other applicable requirements, Building Permits for excavation or construction on land within the BPSM District shall meet the following special requirements:

(1) Building Permits shall be issued in two phases:

(a) First phase will be a foundation permit; and

(b) Second phase will be a Building Permit. Upon issuance of the foundation permit, the County will give the permit applicant notice of the BP SM District and request that the applicant contact BP prior to commencing excavation or dirt work. Upon receipt from the applicant or BP of written notice certifying that excavation and foundation work was completed in compliance with Remedy Decision, the County may issue the Building Permit.

(2) Building Permits issued in accordance with the agreement between the Town of Mills and the County, Resolution #82-01. The Town of Mills assigns the administration of this function to the County for the portion of Parcel 2 located in the Town of Mills.

f. Permit Review and County/Applicant Duties. In addition to complying with the special requirements specified above, the applicant for a building permit on land within the BPSM District shall also review all development permits to assure that all other permits have been received from those governmental agencies from which approval is required by Federal or State law. This overlay zone does not modify or amend the permitted or conditional uses established by the Natrona County Zoning Resolution, or prohibit or restrict.

Section 16. Mountain/Wildfire Safety Overlay District

a. The intent and purpose of this overlay district is to require that certain wildfire mitigation zone improvements are completed prior to the issuance of Zoning Certificates and Building Permits for all principle structures in areas within the Casper Mountain Study Area.

When considering design and development of property in forested areas in Natrona County, it is imperative and crucial to the health, safety and welfare of lands being

developed and adjacent lands that wildfire mitigation zone improvements are implemented. Implementation of these improvements will reduce wildfire hazards to landowners, their property and homes, as well as providing safe areas for firefighters to conduct fire suppression activities.

Three basic areas of improvements need to be addressed: 1) Road Access, 2) Vegetative Management and Defensible Space, 3) Building Design and Materials. This overlay district provides requirements and recommended standards that are nationally recognized to reduce wildfire hazards in forested subdivisions and developed areas. Nationally, subdivisions that had implemented some or all of these improvements in areas where wildfire occurred had losses of vegetation and structures that were much less than adjacent areas that had no improvements implemented.

The wildfire safety overlay district standards are listed below along with some basic specifications. Application of these standards is subject to approval by the County Planning Commission.

b. The entire Casper Mountain Study Area is included in the wildfire safety overlay district.

c. Site plans in overlay areas are subject to approval by the County Planning Commission

d. Standards for road access, vegetative management and defensible space, and building design and materials are as follows. Variances from the standards must be approved by the County Planning Commission.

(1) ROAD ACCESS: (unless otherwise specified in the subdivision regulations)

(a) Road Width: Minimum unobstructed width of 20 feet. Turnouts must be provided if the road is over 150 feet in length.

(b) Road Height: Minimum unobstructed height clearance of 14 feet.

(c) Road Design: Loop roads will be implemented as much as possible. In all other instances including dead-end roads, turnarounds need to be developed when the road is over 150 feet in length.

(d) Secondary Access: To the extent possible, properties shall have an alternate access road (fire-trail or two-track) in addition to their primary access road/driveway.

(e) Turnarounds: Inside turning radius of not less than 30 feet and an outside turning radius of not less than 45 feet.

(f) Turnouts: Minimum 10 feet wide and 30 feet long.

(g) Driveways: Minimum width and vertical clearance of 14 feet. Driveways over 150 feet in length shall be provided with turnouts.

(h) Marking of Roads: All roads shall be marked with signs made of noncombustible materials. Signs shall have a minimum 4-inch-high reflective letters with ½ inch stroke. Road identification signs shall be mounted at a height of 7 feet from the road surface to bottom of the sign.

(i) Address Markers: All buildings shall have a permanently posted address, placed at each driveway entrance and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter by the property owner.

(2) VEGETATIVE MANAGEMENT & DEFENSIBLE SPACE:

(a) A mitigation plan for vegetative management and defensible space/fire safety shall be submitted with site plans for principle building construction. Zoning Certificates shall be issued after approval by the reviewing officials (fire inspector or other designated official, and building official).

(i) Vegetative Management Recommendations:

(A) Fuel breaks: This can be implemented along access roads, driveways and subdivision boundaries. The fuel break should be a minimum of 10 feet wide and all material should be removed, as well as all live brush and trees under 20 feet tall. A few larger trees (20 feet tall and larger) can be left, although all branches should be pruned off to a height of 10 feet.

(ii.) Defensible Space Zones:

(A) Zone 1 - This area is the first 30 feet from the structure.

(I) Remove all dead material from this area, as well as firewood piles and other combustible materials.

(II) Maintain an area of non-combustible material 3 to 5 feet away from structure.

(III) Remove all shrubs and trees except for a few individuals. (Minimum spacing between crowns of trees is 10 feet.)

(IV) Prune remaining trees to a minimum height of 10 feet. If tree is less than 20 feet tall, prune tree to half of total height.

(V) Plant species in this zone should be of a fire resistant variety, which is mostly leafy species. (These plants need to be watered well to maintain adequate moisture content.)

(VI) Keep all vegetation mowed to a height not to exceed 2 inches.

(VII) Prune away any branches that are within 10 feet of structure and 15 feet away from any chimney outlet.

(VIII) Clear pine needles, leaves, limbs and other debris from roofs and gutters.

(B) Zone 2 - This zone extends 70 feet beyond the outer edge of zone 1.

(I.) Thin all trees to a spacing of 8 feet between tree crowns.

(II.) Prune all remaining trees to a minimum height of 10 feet

(III.) Remove dead trees and down combustible materials. (Firewood and other combustible material can be stored here, but keep at least 15 feet away from residual trees.)

(IV.) Control ground vegetation.

(C) Recommendations for remaining lot area:

(I.) Mark all fire protection equipment and water sources, so it is clearly identified.

(II.) Inspect power lines which are located on the property and ask the utility company to remove any trees located within 15 feet of the lines.

(III.) Locate propane tanks at least 50 feet

from structures and maintain a clear 10 foot area around the tank. Also locate tanks at same or lower level as structure.

(3) BUILDING DESIGN & MATERIALS:

Standards for **chimneys, roofing, and vents** must be met. All other standards in this section are recommended. Implementation is through the County Building Department.

(a.) Chimneys: UL approved spark arrestors shall be used on all chimney and vent caps. Prune away all limbs that are within 15 feet of a chimney.

(b.) Roofing: Roof shall have a Class A or Class B fire rated roof covering.

Metal roofing is non-combustible and usually carries a Class B fire rating. Gypsum underlayment can be applied to achieve a Class A rating. Metal roofing is available in panels or as individual shingles.

No wood shingles should be used.

Where the profile allows a space between the roof covering and the roof decking, the space shall be fire stopped at the eave end to preclude entry of flames or embers.

(c.) Vents: All ventilation openings for attics, soffits, foundation and exterior walls shall not exceed 144 square inches and shall be covered with non-combustible, corrosion resistant mesh with openings that do not exceed ¼ meshes.

If possible, avoid installing vents in the soffit. If vents must be used in the soffit, place them as near as possible to the outside edge of the soffit.

Gable end and dormer vents shall not be located within 10 feet of the property lines. Under floor ventilation openings shall be located as close to grade as possible.

(d.) Siding: Exterior walls of a building are most affected by radiant heat and by direct impingement of fire if combustibles are not kept away from the building.

Wood panel or board siding commonly will burn through allowing the fire to vent into the structure in about ten minutes. No wood shingles should be used.

Fiber cement siding products, metal siding products, and real or synthetic stucco are non-combustible and offer greater protection. The fiber cement and metal products are generally available in board, panel or shingle styles. The use of gypsum sheathing will further improve the performance of these products.

Heavy timber or log construction is combustible. However, the low surface to volume ratio makes these products burn very slowly. This fire resistance makes these products acceptable in the moderate and less severe situations.

Masonry, stone and synthetic concrete stone are non-combustible and offer one-hour fire resistance.

e. Decks: Should be constructed to a minimum one-hour-rated fire resistive standards, or use heavy timber construction, or constructed of non-combustive materials.

Decks create a special problem because they trap heat, and trash and combustible materials accumulate under them.

Use thicker materials with a lower surface to volume ratio.

Consider enclosing decks to deflect heat and burning debris.

Screen the area under decks to prevent trash or burning embers and debris from blowing under them.

Sheath the underside and supports of a deck with non-combustible materials.

Use a stone wall and fire-resistive landscaping to shelter the deck.

Consider having a patio with stone or concrete paves as an alternative to a deck.

(f.) Eaves: Open eaves are discouraged because they are a significant heat trap. Fascia is required. The exposed underside of eaves and soffits, and fascia should be constructed of one-hour-rated fire resistive materials.

(g.) Exterior Doors: Should be of approved non-combustible construction, solid core wood construction not less than 1" (one inch) thick, or have a fire resistive rating of not less than 20 minutes.

(i.) Less Fire Resistant: Wood doors with a twenty-minute fire rating are available with a twenty-minute fire resistive rating. However, in a wildland fire this may not be adequate.

(ii.) More Fire Resistant: Metal doors are non-combustible and available in twenty minute, forty-five minute and one and one half hour ratings

(h.) Siting: Avoid building structures at the crest of a steep slope, or at the top of a draw or canyon. The topographical features channel a fire and increase

its intensity. Building structures should be set back a minimum of 30 feet from the crest of a slope for each story of height. However, it is strongly recommended that structures be at least 150 feet from the crest of a slope.

(i.) Windows: Exterior windows, window walls and glazed doors, and windows within exterior doors should be tempered glass, multilayered glazed panels or glass block that has a fire protective rating of at least 20 minutes.

(i.) More able to reflect radiant heat: Double-glazed windows, thermo-pane windows, and windows with Low E coatings.

(ii.) Less able to reflect radiant heat: Conventional, single-pane glazed windows

Glass will fracture under the heat of the fire. Once the glass fractures the weight of the glass may cause the glazing to collapse. Small windows, less than two feet on a side are less likely to collapse after they fracture.

Tempered glass is resistant to both heat and impact. Tempered glass windows will remain intact through most wildland fires. The combination of tempered glass and Low E coating offers the best overall performance in a wildland fire.

Windows with frames made exclusively from vinyl are not desirable. These materials will fail under the heat of an encroaching fire allowing the window to fall out of the structure and opening the structure to the fire. Wood sash windows with vinyl cladding are a better alternative.

Wood sash windows are susceptible to fire and are not a preferred choice. Aluminum clad wood sash offers an improvement in performance; but the metal will transfer the heat through to the wood, eventually leading to combustion. Normally, these windows should survive a wildland fire.

All metal frames offer better performance. The frames and sash will not fail or ignite. Many of these windows are manufactured with a thermal break prohibiting the transfer of heat.

Less desirable: Windows with frames made exclusively of vinyl or wood sash windows.

Better alternative: Wood sash windows with vinyl cladding or aluminum clad wood sash.

Best material: All metal frames. Select windows that are manufactured with a thermal break, which prohibits the transfer of heat.

Section 17. Slope Protection Overlay District.

a. The intent and purpose of the Slope Protection District is to protect slopes from haphazard, unsafe development that could destroy vegetation and wildlife habitat, as well as impact surrounding property owners.

b. The overlay district applies to lands within any zoning district with 25% or more slopes.

c. Site plans in overlay areas are subject to approval by the County Planning Commission. Submittal materials shall include the following:

1. Design documents and site plans that illustrate that building and access road construction will not create visual scars, cause erosion problems, or obstruct desirable views.

2. Before and after contour mapping

3. Foundation designs

4. Plans and profiles for roads and access drives.

5. A written analysis of the overall effect of the proposed development as well as the existing and potential development of lands which affect or may be affected by the proposed development.

d. No specific development density shall be associated with the Slope Protection Overlay. Underlying zoning will govern density.

Determination of specific 25% slope areas shall be made at the time of subdivision or development application. Planned Unit Development rezoning and clustering of development are encouraged in order to preserve steep slopes.

Section 18. Use Control Area (UCA)

The intent of the Use Control Area District (UCA) is to encourage the reuse of formerly heavily contaminated industrial sites which have been or are in the process of remediation through Wyoming's Voluntary Remediation Program (VRP). The UCA is part of a comprehensive remedy to achieve continued compliance with the Wyoming Environmental Quality Act (EQA) and to protect human health and the environment by restricting in perpetuity incompatible uses through institutional controls. The administrative process envisions adopting a new zoning district (UCA District) by amending Natrona County's existing Zoning Resolution. If approved, Natrona County will submit the amended Zoning Resolution to the Wyoming Department of Environmental Quality (WDEQ).

Zone Change Procedures:

To apply for zoning under the UCA District, property owners shall submit an application to the Natrona County Development Department in compliance with Chapter X, Section 1, *Zone Map Amendments* of the 2000 Zoning Resolution of Natrona County for creation of a use control area to establish long-term restrictions on the use of the site and shall comply with all requirements of W.S. 35-11-1601 through 1613. Further, the property owner shall demonstrate cleanup activities that comply with the Wyoming Department of Environmental Quality (WDEQ) corrective action requirements under the Resource Conservation and Recovery Act (RCRA) and the VRP such as work plans, reports, implementation of interim measures, risk assessments, public notices, public participation plan and periodic newsletters to adjacent property owners, Natrona County, and other interested parties summarizing progress of remediation activities as applicable. The EQA (W.S. 35-11-1607 and 1609) establishes that UCA's cannot be modified or amended without first modifying the WDEQ remedy agreement or equivalent mechanism.

Permitted, Conditional, and Prohibited Uses for the Use Control Area:

Permitted Uses

- (1) Accessory buildings and uses
- (2) Assembly or fabrication of materials already processed or manufactured into final product
- (3) Auto and truck wash
- (4) Boat sales, service and repair, provided it is enclosed by a six-foot solid fence if adjacent to property zoned residential or commercial
- (5) Building material storage or sales
- (6) Businesses that are similar or compatible to permitted or conditional uses listed in this district and which are not inconsistent with the intent of the VRP or UCA, including outside storage provided it is enclosed by a six foot solid fence if adjacent to property zoned residential or commercial.
- (7) Bus terminal
- (8) Contractor's yard for vehicles, equipment, and supplies, provided it is enclosed by a six-foot solid fence if adjacent to property zoned residential or commercial.
- (9) Convenience store
- (10) Dry cleaning and laundry
- (11) Gas station
- (12) Heavy equipment sales, service, and repair, provided it is enclosed by a six-foot solid fence if adjacent to property zoned residential or commercial
- (13) Machinery and implement sales, service and repair, provided it is enclosed by a six-foot solid fence if adjacent to property zoned residential or commercial
- (14) Mobile home sales and service
- (15) Monument making and sales
- (16) Motor vehicle sales, service, repair, and storage, provided it is enclosed by a six-foot solid fence if adjacent to property zoned residential or commercial
- (17) Office

- (18) Oil and gas field supply, sales, and storage, provided it is enclosed by a six-foot solid fence if adjacent to property zoned residential or commercial
- (19) Parking structure
- (20) Railroad tracks
- (21) Sign, billboard/off-premise, under 150 square feet
- (22) Supply and service shop, including plumbing, welding, electrical and building
- (23) Utility installation, above ground
- (24) Warehousing or mini-warehousing or inside storage

Conditional Uses

- (1) Airport
- (2) Asphalt plant
- (3) Auto wrecker service, provided it is enclosed by a six-foot solid fence if adjacent to property zoned residential or commercial
- (4) Bulk storage of non-explosive or non-caustic liquids
- (5) Chemical plant, processing and storage
- (6) Communication Towers and Wireless Telecommunication Facilities of any height which are owned and operated by commercial users providing services to the public and are located not less than one (1) mile from any other zoning district; Communication Towers greater than forty-five (45) feet in height, which are owned and operated by non-commercial users, including ham radio operators and other communications enthusiasts and are located not less than one (1) mile from any other zoning district; and any Communication Tower and Antenna combinations greater than seventy (70) feet in height, which are owned and operated by non-commercial users, including ham radio operators and other communications enthusiasts and are located not less than one (1) mile from any other zoning district. (See Chapter VII, Section 15—Communication Towers and Wireless Telecommunication Facilities)
- (7) Concrete batch plant
- (8) Corrective Action Management Unit (special type of industrial landfill for remediation waste)
- (9) Creosote manufacturing and treating
- (10) Gas and LPG processing plant
- (11) Heliport
- (12) Incinerator
- (13) Mineral processing and refining (oil and gas excepted)
- (14) Mining: aggregate extraction
- (15) Motor freight terminal
- (16) Pipeline terminal and pump station
- (17) Pre-cast concrete manufacturing
- (18) Railroad switching
- (19) Refineries, oil and gas
- (20) Research and lab facility, excluding those involving animals
- (21) Sawmill
- (22) Sign, billboard/off-premise over 150 square feet

- (23) Storage, utilization, or manufacture of materials or products that can explode
- (24) Truck terminal
- (25) Underground oil or gas storage facilities
- (26) Wind generator, domestic

Prohibited Uses

- (1) Adult entertainment establishment
- (2) Animal or livestock sales
- (3) Animal shelter, animal treatment or care facility, Kennel
- (4) Arena, Commercial
- (5) Bottling works/factory
- (6) Dairy processing, commercial
- (7) Dwelling; single family, mobile home or manufactured home; one per lot, as the only building on the lot or in addition to permitted industrial buildings.
- (8) Day care
- (9) Fishing or swimming except in the North Platte River
- (10) Feed, grain and fertilizer retail sales (bagged or packaged)
- (11) Food processing facility
- (12) Fraternity or sorority
- (13) Frozen food locker
- (14) Grain elevator and grain mill
- (15) Greenhouse, plant nursery
- (16) Grinding mill
- (17) Hospital or hospice
- (18) Hotel or motel
- (19) Hunting or trapping
- (20) Jail or detention center
- (21) Meat processing
- (22) Nursing home
- (23) Public facility
- (24) Recreational vehicle parks; overnight camping
- (25) Rendering plant
- (26) Residential
- (27) Restaurant; food preparation
- (28) Sanitary landfill, sewage treatment facility
- (29) School
- (30) Truck stop where food is prepared
- (31) Veterinary clinic and animal boarding
- (32) Vocational or training school
- (33) Water well drilling terminating in the uppermost aquifer
- (34) Zoo

Bulk Regulations Table:

District	Minimum District Size	Minimum Lot Size	Minimum Setbacks	Maximum Height	Open Space
UCA	No Minimum	No Minimum	Front–25 Feet Side– 5 Feet Rear– 20 Feet	35 Feet	TBD

Engineering Controls and Institutional Controls:

The WDEQ issues Remedy Agreements (RAs) that may include Remedial Action Plans (RAP's). The RA (and the RAP) provides the administrative and legal provisions necessary for remedy implementation and provides the mechanism for performance, oversight and enforcement. The RA (and the RAP) contain the engineering and institutional controls necessary for protection of human health and the environment, including a reference to a UCA. Pursuant to W.S. 35-11-1607(e), use restrictions and institutional controls listed in RA's (and RAP's) are directly enforceable by the WDEQ. In addition, according to W.S. 35-11-1607(f), the restrictions in a UCA are enforceable by the issuing governmental entity by injunction, mandamus or abatement, or any other remedies provided by law.

Examples of institutional controls included in RAP's are:

1. Slab on grade construction for new buildings with active and/or passive vapor mitigation systems to restrict vapor migration into buildings;
2. Future excavations limited to construction of utility corridors and trenches to a maximum depth of six (6) feet below ground surface;
3. Prohibition on excavation in the vicinity of subsurface remedial systems that are part of the engineering controls.

Definitions:

Corrective Action Management Unit (CAMU): The CAMU is permitted by WDEQ to accept both hazardous and non-hazardous remediation waste generated in association with voluntary Solid Waste Management Unit (SWMU) and soil remediation activities.

Environmental Quality Act (EQA): As contained in Wyoming Statutes Title 35 Public Health and Safety, Chapter 11, Environmental Quality.

Remediation Waste: All waste materials and debris that are managed for implementing cleanup at a contaminated site.

Solid Waste Management Unit (SWMU): An area defined by CEMC and WDEQ as an area that was believed to have managed solid waste.

Use Control Area (UCA): A legally enforceable form of property use restriction that is only available under the Voluntary Remediation Program (VRP) and as defined and governed by Wyoming Statute 35-11-1609. Voluntary Remediation Program (VRP): A set of comprehensive standards and procedures for voluntary remediation of contaminated sites in Wyoming as defined by the provisions in the Wyoming Environmental Quality Act (WEQA), W.S. 35-11-1609.

Adopted November 4, 2008

CHAPTER VII

DESIGN CRITERIA AND PROCEDURES

Note: Design standards have been rewritten to combine the provisions of Resolution 38-1-72 (Section 50 - Performance Standards) and 38-1-83 (Section 8 - Design Standards).

Section 1. Off-Street Parking

Off-street parking is required in all districts of Natrona County in accordance with the following:

- a. Spaces accessory to one-family, two-family and multiple dwellings, shall be on the same or adjacent lot as the principle use served.
- b. No off-street open parking area containing more than four (4) parking spaces shall be closer than 15 feet from an adjacent lot zoned or used for residential purposes.
- c. All off-street parking spaces shall have access off driveways and not directly off the public street.
- d. Parking shall be designed so as to provide adequate means of access to public streets. Such driveway access shall not exceed 30 feet in width.
- e. Minimum dimensions of any parking space required by this section are 8.5 feet in width by 20 feet in length.
- f. All partial space requirements of .5 or greater are rounded to the next highest number of usable parking spaces.
- g. Any building, improvement or use of land approved or erected after the effective date of this Resolution shall include the necessary off-street parking space, subject to all controlling features of this section in the number and dimension hereinafter stipulated or as otherwise approved by the Board.
- h. Whenever any building, improvement or use of land is changed to a new use, the provision of off-street parking shall be that required for the new use.
- i. No existing parking, whether on the same lot as the principle use or on a separate lot, shall be reduced in size below the number of spaces required for the principle use, and any and all accessory uses set forth in this section or Appendix D.

j. All parking areas shall be continually maintained in satisfactory condition so as to be safe and attractive and free of any hazard, nuisance or other unsafe condition.

k. No parking space (provided under the terms of this section or Appendix D) shall be located within the right-of-way of any street, roadway or public alley.

l. In calculating total parking space requirements, credit may be granted to any use, if adequate unused parking space meeting all requirements of this section is available within 400 feet of the use for which credit is assumed, and if it can be properly demonstrated that such parking space shall be reasonably available for the use for which credit is assumed.

m. All parking spaces shall be accessible, at all times, from a street, alley or driveway intended to serve the off-street parking. However, parking spaces serving single-family residential uses may be located in where stacking of vehicles is necessary.

n. Cumulative parking space requirements for mixed-use occupancies may be reduced where it can be demonstrated that the peak requirement of the several occupancies occur at different times (such as mid-day for office, commercial or industrial uses and evening for residential uses). Exception in the total number of spaces required by the addition of all uses as specified in this section may be considered if supported by a parking demand study approved by the County Engineer and the County Planning Director.

o. All off-street parking facilities required pursuant to the provisions of this article, except single family residences, shall be graded for drainage and surfaced with all-weather surface. Such facilities shall be arranged for convenient access and safety of pedestrians and vehicles. No open area in an off-street parking area shall be encroached upon by building, storage or any other use. Once approved, the number of parking spaces shall not be reduced except upon approval of the Planning Department, and then only after proof that by reason of reduction in floor area, seating area, number of employees, or change in other factors controlling the regulation of the number of parking spaces, the proposed reduction is reasonable and consistent with the intent of this Resolution.

p. Physical barriers and visual screening shall be provided between the parking areas and adjacent residential properties. Lighting facilities shall be so arranged so that illumination will be directed away from abutting residential properties and will not interfere with traffic lighting or traffic safety. Lights shall not exceed twenty-five (25) feet in height.

q. All off-street parking for commercial or publicly occupied buildings shall provide handicapped parking as part of the total space requirements by use, one handicapped space per each parking lot, or a minimum of 2% of the total number of required spaces per each lot, whichever is greater. Handicapped spaces shall be

placed as close as possible to a major entrance of a building or use, and shall not in any case be located more than 100 feet from the major entrance of a building or use. Each space shall be clearly designated by vertical signage for use by the handicapped. Each space shall be at least twelve (12) feet in width and be located on a surface with not more than five percent (5%) slope.

r. Residential uses not specifically listed in Appendix D shall meet the following parking requirements:

- (1) Single-family dwellings shall have two spaces per dwelling.
- (2) Multi-family dwellings shall have two spaces per dwelling unit, plus one space per each three dwelling units for parking of recreation vehicles or visitors.
- (3) Mobile homes shall have two spaces per dwelling.

s. Business uses not specifically listed in Appendix D shall meet the following requirements:

(1) High volume business (consists of clothing and department stores, shopping complexes, hardware, building supplies, and similar uses) – shall have one space per each 200 square feet of gross floor area.

(2) Low volume business (consists of furniture/appliance sales, repair shops, nurseries, greenhouses and similar uses) – shall have one space per each 250 square feet of gross floor area.

t. All industrial uses shall provide one space per two employees on the largest shift or one space for each 400 square feet of gross floor area, whichever is greater, plus one additional space for each vehicle operated or owned in connection with the use.

Section 2. Off-Street Loading Spaces

Off-street loading spaces are required in accordance with the following:

a. Every retail establishment, storage warehouse, industrial plant, manufacturing establishment, freight terminal or wholesale establishment with a gross floor area of 10,000 square feet or more shall provide one off-street loading space for each 10,000 square feet of gross floor area.

b. The minimum required loading area shall be not less than ten (10) feet in width and twenty-five (25) feet in length and have an unobstructed height of not less than fourteen (14) feet.

c. No off-street loading spaces are permitted within the right-of-way line of a Federal, State, County or publicly dedicated road or within the front setback of the property and shall be in addition to the required off-street parking.

d. Off-street loading spaces shall be on the same lot as the building served and shall have access to and from a public road without having to back into a public road.

e. Off-street loading spaces shall be graded for drainage and surfaced with an all-weather surface.

Section 3. Fences, Walls, Hedges and Screening

Fences, walls and hedges are permitted in all districts in accordance with the following. All fences shall be constructed in a workmanlike manner. The County encourages use of fencing materials that match the characteristics of the surrounding properties and the intent of the zoning district within which the property is located.

a. A fence, wall or hedge shall be permitted within the setback area.

b. A fence, wall or hedge shall not exceed three (3) feet in height when located within twenty-five (25) feet of the intersection of the right-of-way line of a Federal, State, County or public roadway. Specifically exempt from these requirements are wire and chain link fences if they do not reduce visibility.

c. A fence, wall or hedge shall not exceed three (3) feet in height when located within fifteen (15) feet of an access drive to a Federal, State, County or public roadway.

d. Barbed-wire fences are prohibited in the Urban Residential (UR), Urban Mixed Residential (UMR) and Mobile Home (MH) zone districts. Barbed-wire fences are allowed on properties within and adjacent to all other zone districts. Barbed wire fencing in the Planned Unit Development (PUD) zone district will be evaluated as part of the PUD review process.

e. Tree branches which overhang a public sidewalk shall be kept trimmed to a height of at least eight (8) feet above the sidewalk level. Tree branches which overhang the public streets shall be trimmed to a height of not less than fourteen (14) feet.

f. Devices shall be provided which separate incompatible uses of land or visually separate areas which tend to be unsightly. Screening shall be required for all new uses after the effective date of this Resolution or amendments thereto in accordance with the following:

(1) By the industrial owner where land zoned or used for industrial purposes abuts a business or residential district.

(2) By the business owner where land zoned or used for business purposes abuts a residential district.

(3) Screening shall be in the form of walls or fences, which shall be at least five (5) feet high and create a barrier at least 50% opaque.

(4) By the industrial owner where land zoned or used for industrial purposes abuts a Federal or State highway. This requirement may be waived by the Planning Commission upon presentation and approval of an appropriate site plan which alleviates the necessity for said screening.

Section 4. Sign Regulations

a. The purpose of this section is to permit signs that will not, by reason of size, location, construction, or manner of display endanger public health and safety or obstruct vision necessary for safe traffic movement. Additionally, these regulations are intended to permit signs that will support and complement the land use objectives of Natrona County and protect and enhance property values within Natrona County. The following regulations shall apply to all signs erected, altered and maintained by and for all permitted uses in all districts. Signs governed by several regulations shall comply with all such regulations as well as those of the State of Wyoming Department of Transportation as required. In all cases, the most restrictive regulation shall apply.

b. Any sign over 120 square feet in size requires a Building Permit. The application for a Building Permit shall contain a scale drawing of the proposed sign and a notation as to its height, size and location on the building, tract or lot. It shall also fully describe any existing signage on the premises. An application for a free standing sign shall contain engineering specifications for wind and snow load which the sign can withstand.

c. The following types of signs are considered exempt or outside the scope of these regulations and do not require a permit:

- (1) Signs required by law or authorized for a public purpose;
- (2) One sign showing only the name and/or address of the occupant, not exceeding three (3) square feet and mounted flat against a wall;
- (3) Cornerstones or historical markers;
- (4) Temporary decorations;
- (5) Window displays of actual merchandise;
- (6) Real estate, "for sale," and rental or lease signs not exceeding twelve (12) square feet;
- (7) Signs which are informational or directional and contain no advertising message or commercial logo;
- (8) Danger, warning or cautionary signs;
- (9) Public traffic signs;
- (10) Religious symbols;

- (11) Identifying signs or lettering attached to business doors;
- (12) Temporary construction signs;
- (13) Ranch or farm signs.
- (14) A permanent subdivision entrance sign located in a manner which does not obstruct the view of motorists according to Section 5(d).
- (15) Temporary signs promoting candidates or issues located on private property from 60 days before to ten (10) days after an election.

d. The following signs are prohibited by these regulations:

- (1) Illuminated signs which give off intermittent or rotating beams or rays of light of such an intensity to detract from a motorist's vision for normal safe driving.
- (2) A sign which, by reason of location, shape or color interferes with or might be confused with the functioning or purpose of a traffic sign or signage;
- (3) Except for traffic and directional devices erected and approved by a public agency having jurisdiction, no sign may be erected which overhangs a public right-of-way for a street or highway.
- (4) No person shall park any vehicle or trailer on a public right-of-way or public property, or on private property, so as to be visible from the public right-of-way, which has attached to or located on it any sign or advertising device for the basic purpose of providing advertisement of products or directing people to a business or activity located on the same or nearby property or any other premises.

e. The following are permitted signs in the C, LI and HI districts only subject to standards in section f and g, below:

- (1) Building signs;
- (2) Free standing ground or pole signs;
- (3) Billboard advertising signs are permitted uses only in the C, LI and HI districts.
- (4) Any billboard over 480 sq. ft. in size requires a Conditional Use Permit;
- (5) Off premise signs;
- (6) Roof signs which project no more than ten feet above the height of the building;
- (7) Canopy signs;
- (8) Shopping center identification signs;
- (9) Bulletin board signs;
- (10) Temporary business signs;
- (11) Projecting signs.

f. All permitted signage except billboard advertising signs shall be subject to the following limitations:

(1) The aggregate square footage of all permitted on-premise and off-premise signage shall not exceed 750 square feet for a one story building or 2000 square feet for a two story building or four square feet per front foot of the façade whichever is less. Only facades facing a public street or highway may be counted.

(2) No more than 50% of any sign shall be manual, changeable copy.

(3) Wall or canopy signs shall not project more than twelve (12) inches from any wall unless located at least eight (8) feet above grade at the right-of-way line of any adjoining street or highway.

(4) One free standing pole or ground sign shall be allowed per lot or per business whichever is greater. No free-standing pole sign shall exceed forty feet in height nor 100 square feet in area.

(5) A second free-standing sign, not to exceed 50 square feet in area shall be allowed on any lot which fronts on two public streets provided that no free-standing sign may be erected within 150 feet of any other free-standing sign on the same or adjoining property.

(6) No pole or free standing sign shall be less than ten (10) feet above average grade at the base of the sign. No base or pedestal shall be more than three (3) feet above grade.

(7) No free-standing sign shall be closer than ten (10) feet to a side property line and shall have a zero foot setback from the front property line provided no portion of the sign may project over a street or highway right-of-way.

(8) No free-standing ground sign shall be located closer than ten (10) feet from any lot line, driveway or parking access.

(9) Two signs may be used to identify a commercial or professional center or complex. Such signs may be wall signs or free-standing and shall not exceed 450 square feet each in area. The sign may display a directory of businesses within the complex.

(10) A maximum of one projecting sign is allowed per business which may not project further than six (6) feet from the wall to which it is attached. Such signs must not project over any street or highway right-of-way and must be a minimum of eight (8) feet above the average grade of any adjoining sidewalks. No projecting sign may exceed a surface area of fifty square feet.

(11) Bulletin board signs may be erected as an accessory use for churches and other public uses where allowed in certain districts provided that:

(a) Only one bulletin board sign may be erected on each street frontage and on the same lot as the principle use;

(b) Any lighting shall be directed away from residences;

(c) No bulletin board sign shall exceed twenty-four (24) square feet in area.

(d) No bulletin board sign shall be located closer than eight (8) feet from any side or rear line nor ten (10) feet from any front property line.

(e) Wall signs shall be affixed flat to the wall;

(f) Free-standing ground signs shall be no more than six (6) feet above grade and permanently anchored to the ground.

(12) Each business may have up to one on-premise temporary business sign and two off-premise temporary signs. No business may display a temporary sign

longer than 90 days within a calendar year. All dates of display shall appear on the permit. No temporary business sign shall exceed thirty-two square feet. All other setback and height requirements appropriate to the type of sign and its location shall apply.

(13) Where allowed, any free-standing or ground sign allowed under this ordinance may be used to advertise an off-premise business or service subject to the following conditions:

(a) The applicant must show a demonstrable hardship exists at the location of their place of business which permits the erection of a free-standing sign but which nonetheless prevents or restricts the reasonable use of a free-standing sign at that location.

(b) If a free-standing sign is used to advertise an off-premise business or service, which is a substitute for a free-standing sign at the place of the business or service, the business or service using the advertising surface must acknowledge, in writing, that the use of an off-premise free-standing sign is a substitute for a free-standing sign at the place of the business or service being advertised and must relinquish their free-standing sign usage at the site of their business location.

(c) If used to advertise off-premise businesses or services exclusively, the free-standing sign shall be used as a substitute for the allowed free-standing sign on the site where the sign is located.

(d) A free-standing sign can be used to advertise both on-premise and off-premise businesses or services provided that the total advertising surface does not exceed the size limits allowed for a free-standing sign.

(e) Subject to these conditions, the Planning Department shall approve or deny the request on issuance of the sign permit for an off-premise sign. Along with the application for a Permit for an off-premise sign, the applicant shall submit a letter from the property owner where the off-premise sign will be located granting permission to erect an off-premise sign and stating that they understand and accept the restrictions that an off-premise sign may impose on their property. Prior to issuing an off-premise Sign Permit, the applicant shall submit verification as to the location of any free-standing signs that are to be relinquished as part of the conditions for issuing an off-premise Sign Permit.

(14) Sign area measurement shall be calculated utilizing the following criteria:

(a) The structure or bracing of any sign shall be omitted from measurement, unless such structure or bracing has been made an integral part of the message.

(b) Where a sign has two or more display faces, the area of all faces shall be measured, unless such faces join back to back, are parallel to each other and are no more than thirty-six inches (36") apart.

(c) The area of any backing or background material that is a part of the sign display shall be included in the sign area to be measured.

(d) The area of any sign shall be measured by determining the sum of the area of each square, rectangle, triangle, circle or portion or combination thereof that encompasses the outer limits of all portions of the sign, message or display.

(e) Individual letters, with no background, shall be measured by the minimum rectangular area necessary to encompass such letter or by a combination of rectangles as are necessary to encompass letters or irregular dimension.

g. Regulations governing billboard advertising signs are as follows:

(1) Billboard advertising signs are only allowed as a Permitted Use in the C, LI and HI districts.

(2) Billboard advertising signs over 480 square feet require a Conditional Use Permit in C, LI, and HI districts.

(3) The owner shall agree, at the time of issuance of the permit, to place and maintain on such billboard the name of the person owning or in control of the billboard.

(4) No billboard shall be erected, structurally altered, constructed, reconstructed or moved until an application and plans have been filed and been approved by the Zoning Enforcement Officer as to size, location and construction.

(5) Billboards shall not exceed fifty feet (50') in height above the ground or thirty (30') above the roadway.

(6) The owner, lessee or manager of such billboard and the owner of the sign shall maintain and keep the ground area around the sign free and clean of weeds and debris.

(7) No billboard shall exceed six hundred eighty (680) square feet in area (on a single face) and shall not be erected closer than one hundred fifty feet (150') from another billboard on the same side of the street.

(8) It shall be unlawful to construct or maintain, or cause to be constructed or maintained, any billboard, in such a manner as to:

(a) obstruct the view of street crossings or railroad crossings;

(b) be unable to stand a pressure of at least thirty pounds per square foot of advertising surface;

(c) be dangerous to the public by falling or blowing down;

(d) be nearer than five feet (5') from any building, unless attached to the building.

(9) Billboards supported by the ground shall have all posts set in concrete.

(10) No billboard shall be erected within two hundred fifty (250') of the boundary of any residential zone.

h. Sign Definitions

Sign - any object or device or part thereof situated outdoors or indoors which is used to advertise, identify, display, direct, or attract attention to any object, person, institution, organization, business product, service, event or location by any means including words, letters, figures, designs, symbols, fixtures, color, motion, illumination or projected images. Signs do not include the following:

- (a.) Flags of nations, states, cities, fraternal, religious and civic organizations.
- (b.) Merchandise, pictures or models of products or services incorporated with a window display.
- (c.) Time and temperature devices, not related to a product.
- (d.) National, state, religious, fraternal, professional and civic symbols or crests, or works of art which in no way identify a product or a device. If, for any reason, it cannot be readily determined whether or not the object is a sign, the Board shall make such determination.
- (e.) Nameplate sign - a sign which states the name and/or address of the occupant and does not exceed three (3) square feet.

Sign, Billboard Advertising – a sign, which is 235 square feet or more in size, advertising products or services unrelated to a business on the property where the sign is located or on a leased sign.

Sign, Building – a sign which directs attention to the building to which it is attached. The following signs are building signs:

- (a.) Sign, Canopy – any sign attached to or constructed on the face of a permanent, roof-like shelter, extending from part or all of the building face and constructed of some durable material.
- (b.) Sign, Projecting – a sign attached to or erected on a wall of a building, with the face perpendicular to the building wall.
- (c.) Sign, Roof – any sign erected upon, against or directly above a roof or on top of the parapet of a building.
- (d.) Sign, Under-Canopy – any sign attached to or constructed under a canopy.
- (e.) Sign, Wall – a sign attached to, erected against or painted upon the wall of a building, with the face horizontally parallel to the building wall.
- (f.) Sign, Window – a sign installed or painted on a window for purposes of advertisement, display, identify a person, object or product.

Sign, Bulletin – a notice or message typically erected by a church or a public institution, not advertising a commercial product, goods or services.

Sign, Business - a sign which is related to the commercial use of the property on which is located.

Sign, Center – a sign identifying a commercial, industrial or professional center or complex, having at least three (3) separate businesses. A center's management company or owner shall be the only acceptable applicant for a center sign.

Sign, Changeable Copy – a sign on which copy is changed manually in the field, i.e., reader boards with changeable letters.

Sign, Directional or Informational – any sign which directs vehicular or pedestrian traffic for purposes of parking, circulation or sale points of various products and services. No directional or informational sign may contain any business name, advertising, price or other commercial message or business logo.

Sign, Flashing – any illuminated sign on which the artificial light is not constant in intensity and color at all times.

Sign, For Sale – a sign advertising real estate for lease, rental or sale.

Sign, Free Standing Ground – a sign mounted on the ground, not attached to a building and having its bottom edge at ground level.

Sign, Free-Standing Pole – a sign supported by one or more uprights, poles or braces in or upon the ground, not attached to any building and having its bottom edge above ground.

Sign, Gross Area – omitting any structure or bracing, the area of a sign shall be measured by the sum of each square rectangle, triangle or circle or combination thereof that encompasses the outer limits of all portions of the sign, message or display. All faces shall be measured except where two faces are back to back and parallel and less than 36" apart shall be measured together as one sign.

Sign, Illuminated - a sign designed to give forth artificial light or designed to reflect light derived from any source.

Sign, Off-Premise – any sign advertising goods, products or services, not located or sold on the premises on which the sign is located.

Sign, On-Premise – any sign identifying or advertising a business, person, activity, goods, products or services, located on the premises where the sign is installed and maintained.

Sign, Residential Development – a sign identifying a subdivision, planned mobile home development or residential building complex, displaying no more than the name and location of the development.

Sign, Sandwich – an advertising or business ground sign which is constructed in such a manner as to form an "A" or a tent-like shape, hinged or not hinged at the top; and each angular face held at an appropriate distance by a supporting member.

Sign, Temporary Business – a sign which is portable and does not have a permanent location, which is used to advertise special purpose business activities for a limited amount of time.

Sign, Temporary Construction – a sign identifying new development or construction and including such information as the name of the project, the owner, the leasing agent, the contractor, the architect and brief descriptive material on the project or other pertinent data.

Section 5. Access Drives

a. All access drives shall be a minimum of twenty-five (25) feet from the intersections of the rights-of-way of a public road.

b. The driveway angle to the street shall be ninety (90) degrees.

c. The distance from a driveway to the property line of an adjacent property shall not be less than five (5) feet except in the case of a common driveway.

Section 6. Erosion Control and Land Reclamation

a. All platted lots or unplatted lots of land which have the natural ground cover disturbed or removed for purposes of development or building construction shall be stabilized in a manner which shall prevent wind and water erosion.

b. No land shall be developed and no use shall be permitted that result in water run-off causing flooding, or erosion on adjacent properties. Such run-off shall be properly channeled into a storm drain, water course, ponding area or other suitable facility.

c. Land reclamation and fill not controlled by the regulations of other governmental agencies not associated with a Building Permit shall be permitted only upon issuance of a Conditional Use Permit. Such permit shall include as a condition thereof, a finished grade plan which will not adversely affect the adjacent land, and as conditions thereof shall regulate the type of fill permitted, program for flood and rodent control, plan for fire control and general maintenance of the site, controls of vehicular ingress and egress, and for control of material disbursed by wind or hauling of material to or from the site.

Section 7. Nuisance Standards and Storage Requirements.

1. Purpose and Applicability. The purpose of the provisions of this Section 7 is to promote and encourage the maintenance of properties within Natrona County and to protect and provide for the highest level of health, safety and welfare for citizens of the County. These provisions shall not apply to any permitted industrial facility, including but not necessarily limited to permitted commercial Wind Energy Conversion Systems (WECS) and facilities, or to oil and gas or mining operations necessary for the exploration, production or extraction of mineral resources, nor shall these provisions be construed to impair or modify any rights afforded to farm or ranch operations pursuant to the Wyoming Right to Farm and Ranch Act. A farm or ranch

operation shall not be found to be a public or private nuisance by reason of the existence of that operation if the operation:

a. Conforms to generally accepted agricultural management practices;
and

b. Existed before a change in the land use adjacent to the farm or ranch land and the farm or ranch land would not have been a nuisance before the change in land use or occupancy occurred. (See W. S. 11-44-103.)

2. Definitions.

a. Accumulation: Massing or storing of debris, waste, matter or other material in an amount equivalent to a four (4) foot high pile encompassing more than one percent (1%) of total property area, or in quantities exceeding that which would commonly be considered reasonable or consistent with surrounding properties and like uses.

b. Agricultural Land: Contiguous or noncontiguous parcels of land under one (1) operation owned or leased shall qualify for classification as agricultural land if the land meets each of the following qualifications:

(i) The land is presently being used and employed for an agricultural purpose;

(ii) The land is not part of a platted subdivision; and

(iii) If the land is not leased land, the owner of the land has derived annual gross revenues of not less than five hundred dollars (\$500.00) from the marketing of agricultural products, or if the land is leased land the lessee has derived annual gross revenues of not less than one thousand dollars (\$1,000.00) from the marketing of agricultural products. (See W. S. 39-13-103(b)(x).)

c. Collector Items: Any lawful accumulation of inanimate objects, excluding all motorized vehicles, having emotional, intellectual, artistic, academic, historical or other appeal to the individual(s) accumulating the objects and which are displayed, stored and maintained in a manner which emphasizes preservation of the objects and prevents or minimizes their physical deterioration.

d. Farm and Ranch: Inclusively, the land, buildings, livestock and machinery used in the commercial production and sale of farm and ranch products. (See W. S. 18-2-115.)

e. Farm and Ranch Operation: The science and art of production of plants and animals useful to man except those listed under W. S. 23-1-101, including

but not limited to the preparation of such products for man's use and their distribution by marketing or otherwise, and including horticulture, floriculture, viticulture, silviculture, dairy, livestock, poultry, bee and any and all forms of farm and ranch products and farm and ranch production (W. S. 18-2-115). For purposes of this definition, a property is part of Farm and Ranch Operation if it meets the criteria for Agricultural Land set forth above.

f. Hazardous Material: A substance or material determined by the Secretary of Transportation to be capable of posing an unreasonable risk to health, safety and property when transported in commerce and designated as hazardous under applicable Federal law (49 U. S. C. 5103). Hazardous material and substance includes hazardous wastes, marine pollutants, elevated temperature materials and materials designated as hazardous under Hazardous Materials Regulations (49 CFR Parts 100-185).

g. Nuisance—General: Any use or non-use of property which constitutes an unreasonable interference with the quality of life, health, safety or welfare of Natrona County citizens or which is defined by Wyoming legislative enactments, decrees of Wyoming courts of competent jurisdiction or by the provisions of this Section 7.

h. Nuisance—Public: An unreasonable interference with a right common to the general public.

i. Nuisance—Private: A nontrespassory invasion of another's interest in the private use and enjoyment of land.

j. Primary Property or Source: The main and significant property, area, spot-location or source from which nuisance originates.

k. Screening: The method by which the view of one property from another property is substantially shielded. Screening techniques include but are not necessarily limited to solid fences, walls, hedges, berms, significant setback or other County approved features.

l. Toxic Material: Material that is listed by OSHA as a hazardous substance where exposure to said substance is greater than permitted by OSHA.

3. General

a. A site, property, tract, lot, building grounds, area, structure or other property and uses thereof may be declared a nuisance by the Board of County Commissioners in conformance with W. S. 18-2-115 et seq if a land use is expressly listed in Section 3e hereof as a nuisance or determined to be a nuisance following

investigation by the Natrona County Development of said site, property, tract, lot, building grounds, area, structure or other property where the nuisance is located.

b. The Board of County Commissioners hereby authorizes and designates the Director of Development to investigate and determine the existence of a nuisance and to issue orders on behalf of the Board of County Commissioners declaring a property a nuisance in conformance with W. S. 18-2-101(a)(viii).

c. Procedures and Process

(1.) All investigations shall be made by the Natrona County Development Department, subject to review by the Natrona County Attorney for determination of validity and compliance with this and other pertinent regulations. State and local agencies with specific expertise shall be consulted by Natrona County when necessary to achieve successful completion of the investigation.

(2.) If an investigation produces evidence of the existence of a nuisance, the Natrona County Development Department shall issue a notice of violation to the offending property owner. Notices of violation issued by Natrona County Development Department may be affixed to an offending property owner's door. Notices of violation shall describe the nuisance with specificity and shall specify a fine, payable to the Natrona County Development Department in an amount not exceeding one hundred dollars (\$100.00) per day for each day the nuisance remains unabated. Except as provided in paragraph 6 below, the aforesaid notices of violation shall constitute prior notice to a property owner of the existence of the nuisance and that an order for abatement of the nuisance may be issued to said property owner in conformance with W. S. 18-2-115 within fourteen (14) days.

(3.) Property owners who have received a notice of violation for the existence of a nuisance may, within fourteen (14) days of receipt of the notice of violation, enter into a written Compliance Agreement with Natrona County. Such Compliance Agreement shall include, but is not limited to, a reasonable timetable to abate the nuisance. In the event a nuisance is abated in accordance with an applicable Compliance Agreement such abatement shall operate to cancel the notice of violation for the nuisance addressed by the Compliance Agreement.

(4.) In the event a Compliance Agreement is not entered into by a property owner within fourteen (14) days after receipt of a notice of violation or a nuisance is not abated in accordance with the timetable specified in a Compliance Agreement entered into by a property owner, an order declaring a property to be a nuisance under W. S. 18-2-101(a)(viii) shall be filed in the office of the Clerk of the District Court of Natrona County. A copy of the order shall be served in accordance with the Wyoming Rules of Civil Procedure upon the property owner or occupant with a written notice that the order has been filed and shall remain in force, unless the owner or occupant files his objections or answer with the Clerk of the District Court within twenty (20) days. A copy of the order shall be posted in a conspicuous place upon the

property. If no answer is filed and served, the order shall become a final order declaring the site a nuisance and fix a time when the order shall be enforced. If an answer is filed and served, a court of competent jurisdiction shall, within twenty (20) days from the filing of the answer, hear and determine the issues raised. If the court sustains all or any part of the order, the court shall issue a final order and fix a time within which all or any part of the final order shall be enforced.

(5.) In the event a nuisance continues unabated following issuance of a final court order and for a period exceeding the time fixed in the final order for abatement of all or any part of the nuisance, the County shall enter the property affected by the nuisance and shall take any actions necessary to permanently abate the nuisance. The County shall file an equitable lien on the property affected by the nuisance in an amount sufficient to cover all costs associated with or arising from the abatement activity.

(6.) Notwithstanding any provisions herein to the contrary, in the event investigatory evidence shows the nuisance to be an immediate threat to the health, safety and welfare of the citizens of Natrona County and a notice of violation is issued, the County shall also immediately file in the office of the Clerk of the District Court of Natrona County an order declaring a property to be a nuisance under W. S. 18-2-101(a)(viii) and shall proceed in accordance with the provisions of paragraph 3 and paragraph 4 hereof.

d. The following is a non-exclusive listing of acts or usages which may be declared a nuisance by the Board of County Commissioners:

(1.) Any use which is operated so that noise resulting from said use is perceptible beyond the boundaries of the property on which such use is located, provided that this standard shall not apply to incidental traffic, parking, loading, construction, farming or maintenance operations.

(2.) Any use which creates earth-shaking vibrations, if such vibrations are perceptible beyond the boundaries of the property on which such use is located, provided that this standard shall not apply to vibrations created during the process of construction.

(3.) Any use producing intense heat or light transmission, which use is performed without necessary shielding to prevent such heat or light from creating a hazard beyond the property line(s) of the site on which the use is located.

(4.) Any use resulting in discharge of any toxic or hazardous material or substance into the atmosphere which may be harmful to humans, animals, adjacent agricultural uses, adjacent property, water, or subsoil.

(5.) Active or passive discharge into the environment of toxic or noxious materials in concentrations sufficient to endanger the public health from a Primary Property or Source.

(6.) Active or passive discharge of effluent from any cesspool, septic tank, drain field or sewage disposal system upon the surface of the ground from a Primary Property or Source.

(7.) Accumulation of manure from domestic animals and fowl that is handled, stored or disposed of in a manner that creates a health hazard or results in noxious odors which are perceptible beyond the boundaries of the property on which the accumulation is located.

(8.) Accumulation of decayed or decaying matter, trash, rubbish, garbage or any material or substance which is determined to be a health hazard or results in noxious odors which are perceptible beyond the boundaries of the property on which the accumulation is located.

(9.) Failure to keep material, debris, waste, refuse or garbage properly contained.

(10.) Storage, stacking or arrangement of material or equipment in a manner that forms a haven for rats, mice, skunks or other vermin, or constitutes a fire hazard to inhabited buildings or adjacent property.

(11.) Refuse yards, salvage or auto reduction yards in permitted zoning districts which are not completely enclosed within a building or screened as defined in Chapter VII, Section 3f of this Resolution, so as to screen operations of said yards from any adjacent non-industrial property owned by another or any adjacent public road, street or highway.

(12.) Five (5) or more inoperative or unlicensed vehicles in RAM, UA, LI, and HI zoning districts, or one (1) or more inoperative or unlicensed vehicles in all other zoning districts, which vehicles are not part of a permitted auto reduction yard or an approved collector car storage conditional use permit.

(13.) Intentional barricading, blocking or obstruction of any County Road, or any private road which has been lawfully dedicated to use by the public.

(14.) Electronic interference with amplitude or frequency modulation signals of commercial broadcast stations or any cellular or other wireless telecommunications signals.

(15.) Physical degradation or obstruction of any viewshed area which is regulated or otherwise administered by Federal, State or local agencies.

(16.) Failure to maintain a structure designed and built for human habitation so as to avoid hazards to health, safety and welfare as determined by the Natrona County Building Official.

(17.) Any condition or situation which renders a structure or any portion thereof designed and constructed for human habitation unsanitary, unhealthy or unfit for human habitation, occupancy or use, or renders any property unsanitary or unhealthy as determined by the Natrona County Building Official.

(18.) Excessive, repetitive or sustained barking of dogs, which is audible beyond the boundaries of the property where the dogs are located.

(19.) Failure to comply with any law or rule regarding sanitation and health.

e. Violation of the provisions of this Section 7 may be enforced through any method authorized for enforcement of Natrona County zoning regulations, through the provisions of W. S. 18-2-115 et seq, by injunction, mandamus or other judicial action and any other applicable method under law including but not limited to criminal citations. The selection of one remedy or enforcement method shall not of its own accord prohibit the implementation of any other remedies available under law. To the extent permitted by law, all available remedies may be used individually or cumulatively.

f. The provisions of this Section 7 shall apply to all unincorporated properties in Natrona County.

g. The following shall be exempt from these regulations:

(1) Any number of collector cars which are enclosed within a building(s) which is in compliance with applicable Natrona County Building Standards.

(2) Collector Items as defined in Section 2© of the Nuisance Regulations.

(3) Permitted industrial facilities.

(4) Farm or ranch operations.

Revised and Adopted 01/05/2010

Revised and Adopted 08/02/2011

Section 8. Mobile and Manufactured Home Standards

It is the policy of Natrona County to recognize mobile and manufactured housing as an attractive affordable housing option. Mobile and manufactured homes in Natrona County shall comply with the following minimum requirements:

- a. They shall be located on a foundation or blocked, skirted and tied down.
- b. Skirting shall be waterproof, rigid, durable and shall be equipped with a door or panels to permit access to utilities. Skirting shall be completed prior to final permit approval and inspection.
- c. All electrical, plumbing, gas hook-ups, and tiedowns shall be in compliance with the pertinent sections of the codes adopted by Natrona County.
- d. Mobile home storage shall be permitted only in the C and LI Districts. Temporary storage of a mobile home for a period not to exceed 180 days shall be allowed only in the RR-1, SR-1, UMR, and MH Districts.
- e. Tying together mobile or manufactured home units not expressly manufactured for that purpose is strictly prohibited. An exception may be granted by the building official if the applicant can provide structural drawings and plans, signed by a licensed engineer or architect in the State of Wyoming that certifies that they are joined in such a fashion that the roof, frame and foundation are compatible and structural integrity is maintained. The mechanical and electrical systems must be in good working condition, including the smoke detectors that must be fed from a dedicated circuit from the panel that is located closest to the main service out of doors. That panel will become the main panel for the structure and will sub-feed the other panel. If the main panel does not have capacity to sub-feed the other panel, it must be up graded. The smoke detectors must be located in each sleeping room and hallway. They must also be electric with battery back up and wired to a 3-wire system so that all detectors alarm at once. All interior wiring must be copper.
- f. Mobile or manufactured homes shall not be utilized solely as accessory storage units, except in the Ranching, Agriculture and Mining (RAM) district as a permitted use, and the Urban Agriculture (UA) district as a Conditional Use. When allowed, such units shall comply with the following minimum requirements:
 - (1.) They shall be well maintained and not utilized for residential living and/or commercial purposes.
 - (2.) They shall be set a minimum of twenty-five (25) feet away from all property lines.
 - (3.) They shall be located on a foundation or blocked, skirted and tied down.
 - (4.) They shall not be used to store hazardous or flammable materials of any kind.
- g. The County reserves the right to refuse to issue permits for any mobile or manufactured home that in the professional judgment of the County, does not meet minimum life, health and safety requirements and/or would pose a nuisance to surrounding properties.

The electrical system including the panel and all branch circuit wiring, devices and fixtures must be in good repair. All wiring conductors must be copper.

The plumbing systems must be in good condition. The water supply pipes to all fixtures and the drain, waste and venting from fixtures cannot leak, be properly strapped and supported and maintain the proper fall. The mixing of black and white PVC is prohibited since the glues are not compatible, a transition from black to white or white to black must be made through the use of approved transitional fittings manufactured for that purpose.

The furnace must be in good working order with no cracks in the firebox or heat exchanger; the flue must be properly vented. Unions are not allowed in the gas supply line under home and the gas valve and the upper and lower limit switches and fan motor must work properly. Any gas-fired appliances must be properly vented; gas fired water heaters must be listed for use in manufactured homes and be sealed combustion units if installed inside the home.

The roof must be in good condition with all seams and joints properly sealed; all flashing must be secure and sealed with proper caulking. The metal skin or siding must be in good condition with no holes, tears or missing pieces. The windows must not have any broken glass or operating parts, they must open and close properly. All doors must be in good condition and open and close, sealing properly. The floor must be in good repair; any breaks or holes must be repaired before permits will be issued.

Any mobile or manufactured home that is twenty (20) years or older shall require a compliancy inspection.

Section 8-A. Mobile Home Park Development Standards

Mobile home parks shall comply with the following requirements, including a site plan:

a. No public road dedication. There shall be no public dedication of interior roads within the mobile home park.

b. Streets. All parks shall provide safe, continuous and convenient vehicular access from abutting public streets or roads to each mobile home space. All streets shall be provided with a smooth, all weather dust-free surfaces which shall be durable and well drained under normal use and weather conditions. Street surfaces shall be maintained free of cracks, holes, raveled edges and other hazards.

c. Compliance with other agencies. All requirements of applicable local, state and federal review agencies shall be complied with.

d. Water and sewer requirements. The space provided for each mobile home shall be supplied with piped potable water and electrical and sewage disposal connections.

e. Accessory structures allowed. The only detached structures located on a mobile home space shall be a carport or a fully-enclosed storage building.

f. Sight obscuring fence. A sight-obscuring fence of not less than six (6) feet in height, with openings only for required entrances or exits to a street or public place, shall be provided between mobile homes and a mobile home park property line.

g. Street and space identification. Each vehicular way in a mobile home park shall be named and marked with signs of a design similar to those for public streets. A map of the named vehicular ways and of the mobile home space numbers shall be provided by the owner to the fire district, health department, and Natrona County.

h. Outdoor storage prohibited. There shall be no outdoor storage of furniture, electrical appliances, tools, equipment, building materials or supplies within a mobile home park.

i. Hazard mitigation. Condition of soil, ground water level, drainage and topography shall not create hazards to the property or the health or safety of the occupants. The site shall not be exposed to objectionable smoke, noise, odors or other adverse influences, and no portion subject to unpredictable and/or sudden flooding, sinking or erosion shall be used for any purpose which would expose persons or property to hazards.

j. Soil and ground cover requirements. Exposed ground surfaces in all parts of every mobile home park shall be paved, or covered with other solid material, or protected with a vegetation growth that is capable of preventing soil erosion and of eliminating objectionable dust.

k. Site drainage requirements. The ground surface in all parts of every mobile home park shall be graded and equipped to drain all surface water in a safe, efficient manner. Proposed drainage improvements shall maintain any natural water courses and shall prevent the collection of water at any low spot.

l. Nonresidential uses prohibited. No part of any park shall be used for nonresidential purposes, except such uses that are required for the direct servicing and well being of park residents and for the management and maintenance of the park, including without limitation the following:

- (1.) Park management offices;
- (2.) Community laundry facilities;
- (3.) Community sanitary facilities;
- (4.) Indoor community recreation areas;
- (5.) Repair shops and storage buildings;
- (6.) Postal pick-up and delivery facilities.

n. Recreational areas. In all parks accommodating or designed to accommodate five (5) or more mobile homes, there shall be one (1) or more recreation

areas which shall be easily accessible to all park residents. The size of such recreation areas shall be based upon a minimum of five percent (5%) of the gross land area of the mobile home park. For parks accommodating twenty-five (25) or more mobile homes, no outdoor recreation area shall contain less than 2500 square feet. Recreation areas shall be so located as to be free of traffic hazards and should be centrally located.

Section 9. Traffic Standards

a. The traffic generated by any use shall be channeled and controlled in a manner to avoid congestion on public streets, safety hazards, or excessive traffic through residential areas.

Section 10. Auto Service Stations and Truck Stops

a. Any portion of an auto service station or truck stop used for the movement or storage of vehicles shall be surfaced to control dust and provide adequate drainage.

b. Driveways for auto service stations and truck stops shall not exceed thirty (30) feet in width nor be spaced closer than thirty (30) feet apart measured at the property line. No more than two (2) access drives to any street shall be permitted. Any pump island or other structure shall not be less than twenty (20) feet from adjacent property lines or street and highway right-of-way lines and an overhead canopy or weather protection structures shall not be less than ten (10) feet from any right-of-way line or property line.

c. All trash, waste materials, and obsolete parts shall be stored within a separate enclosure.

d. Motor vehicles, trailers or campers shall be parked such that adequate visibility can be maintained.

Section 11. Explosives

a. Any use requiring the storage, utilization or manufacturing of products which could experience detonation shall be located not less than 400 feet from any residence. This section shall not apply to the storage or usage of liquefied petroleum or natural gas for normal residential or business purposes.

Section 12. Temporary Dwellings

a. On lots where proper zoning permits have been obtained, a temporary dwelling may be permitted during the construction of the permanent structure. The property owner must obtain a Zoning Certificate for such dwelling and show provisions for temporary water, sewer and utilities. No temporary structure may remain on a lot longer than one year, unless the owner can show both substantial progress toward completion of the permanent structure and anticipate completion within a reasonable

time. In no event shall the temporary dwelling remain on the lot more than thirty (30) days after substantial completion of the permanent structure and/or award of the Certificate of Occupancy, for the permanent dwelling.

b. A property owner may on his own property live in a motor home, travel trailer, or other recreational vehicle subject to the vehicle being connected to water and sewer service or being self contained, only in those districts where mobile homes are allowed, RAM, UA, RR-1, SR-1, UMR, C and LI.

Section 13. Correctional Facility

a. When an application for a residential care use is submitted, the Planning Department shall post a notice on the property and mail a notice to neighbors. The notice shall indicate the time, date and place of an informational neighborhood meeting and where written comments can be sent. The applicant shall hold a neighborhood meeting after filing the application and designate a staff member to receive and answer questions and complaints.

b. After receiving the application, the Zoning Administrator shall review the application with a committee of county agencies and issue a recommendation to the Planning Commission and County Commissioners.

c. Conditions of Approval:

(i.) The owner of the property (if different than the applicant) has signed the application.

(ii.) The applicant has obtained permits, license or certifications required by the State.

(iii.) The appropriate licensing authority (the Community Corrections Board) has approved the program and operational plan, including adequate procedures for safeguarding the public and the facility residents through screening, supervision and security.

(iv.) The use will not substantially or permanently injure the appropriate use of nearby conforming property.

(v.) The size and architectural scale of the facility is appropriate to the neighborhood.

(vi.) Procedural steps have been followed.

d. No correctional facility shall be located closer than one thousand five hundred (1500) feet to a school, meeting all the requirements of the compulsory education laws.

e. Operators shall designate a staff member to receive on-going questions and concerns from the interested neighbors.

Section 14. Special Aggregate Regulations

Special regulations regarding mining activities. These regulations are established for the following purposes:

(1) Establish a registry of mineral development throughout Natrona County, by requiring the filing of Mineral Development Plans, which will be used by the County to appropriately zone surrounding uses.

(2) Establish a process for public review, comment, and permitting of aggregate extraction and development, for Conditional Use Permits.

(3) Adopt an overlay map of Natrona County, delineating those areas which allow for aggregate extraction and those areas excluded from aggregate extraction. A Conditional Use Permit is required before aggregate extraction is permitted.

(4) These activities are a Conditional Use in the RAM, UA and HI Districts unless included from aggregate extracting in the areas excluded from aggregate extraction as shown an established on the Natrona County Zoning Map.

a. Definitions for the purposes of this section:

(1) "Mineral" means coal, clay, stone, bentonite, scoria, rock, pumice, limestone, ballast rock, uranium, gypsum, feldspar, copper ore, iron ore, oil shale, trona and other solid minerals removed from the earth for reuse or further processing.

(2) "Mineral Development" means all mineral extraction or production or ancillary activities related to mineral production or extraction.

(3) "Aggregate Extraction" means the removal of substances such as sand, gravel and limestone used generally for building and road-making purposes, not otherwise rare and exceptional in character.

(4) "Residential Areas" include residential subdivisions (regardless of zoning designation), areas zoned for residential purposes, and those areas where quarter section land ownership mapping indicates an average lot density of less than ten (10) acres per lot and the surrounding ¼ mile from the property line.

b. General Requirements: The issuance of a RAM zone change and/or Conditional Use Permit for mining shall be reviewed based on the Intent, Ch. 1, Sec. 1; and Goals and Policies, Ch. 1, Sec. 2, and the following mineral development guidelines:

(1) Introduction - Aggregate development is an important and necessary industry in and for Natrona County. Sand, gravel, and limestone are used in roads, concrete products, and buildings throughout the County. The development of new sources and the maximum utilization of existing deposits should be encouraged.

Residential uses of property and the extraction of aggregate are not compatible. Sand and gravel extraction operations result in noise, dust, visual and aesthetic impacts, along with traffic and safety concerns. Aggregate extraction activities are prohibited in existing residential areas. Recreational uses of property are an important component of residential use, and will be considered during the review process.

(2) Aggregate extraction activities in rural, commercial and industrial areas should be encouraged, subject to nearby residential uses, if any.

(3) Private non-commercial sand, gravel and aggregate extraction of limited (6 months or less) duration are exempt from these regulations. Commercial extraction or extraction for resale to others, or any other activities which require permits from the State DEQ are not exempt. Where there is no conflict, governmental operations, including municipal, county, state and federal activities, shall be in compliance with these guidelines.

(4) In those areas where aggregate extraction activities impact residential areas, but are not actually within the residential area, mitigation of nuisances associated with the extraction may be possible. Mitigation which might be required may include: buffer zones, screening for noise and sight, traffic control, sediment and erosion control, protection of natural and cultural resources, limitations on the size of the pit, projected uses after completion, and controls on hours of operation. Domestic well protection must also be considered.

(5) Areas of historic extraction activities have been identified, and are noted by reference maps available at the County Planning Office. These sites have been permitted by the DEQ. Purchasers of property adjacent to existing permitted areas should be aware that extraction activities may begin at any time. Previously permitted activities are not controlled by these regulations.

(6) The County's aggregate extraction process shall coordinate with state, federal and other permitting agencies. The County will solicit and consider information gathered or documentation generated by other permitting agencies in its deliberations.

(7) Permanent buildings or structures necessary for mineral extraction activities shall be built in accordance with applicable county codes, unless specifically preempted by federal or state code requirements. Building permits are required for all construction whether or not a conditional use permit is required or whether the activity is expansion or continuation of an existing permit.

c. Mineral Development Plan: Operators of proposed mineral developments shall file a Mineral Development Plan with the County Planning Department, showing the following:

(1) Name and address of ownership and/or operator.

- (2) Legal description of site/site plan.
- (3) General activities and uses proposed.
- (4) Approximate size of each use.
- (5) Designation of buffer space for adjacent uses and open space.
- (6) Provisions for water, waste water, solid waste disposal, and septic systems.
- (7) Access to site, including easements, use of state or county roads, and addressing maintenance concerns.
- (8) Anticipated impact on county services and roads.
- (9) Location of domestic water wells, if any, within a 1/2 mile radius of the proposed development.

(Operators of existing mineral development are encouraged to submit plans for existing development. The county will use this information to zone surrounding activities for compatible uses.)

d. Aggregate Extraction Plans: In addition to the Mineral Development Plan listed above, aggregate extraction developers shall apply for:

- (1) A Conditional Use Permit for those areas designated for mineral development, or;
- (2) Zone change and Conditional Use Permit for areas not currently zoned RAM, UA, or HI unless included in the areas excluded from aggregate extraction as shown as established on the Natrona County Zoning Map.
- (3) Any permits or licenses required by other governmental agencies.

e. Permit Hearing Process: Applications for Conditional Use Permits for mining shall be subject to the following review process. Hearings for zone changes and/or Conditional Use Permits will be conducted pursuant to Chapter X and Chapter XI.

- (1) An informal pre-application conference will be scheduled and conducted by the Planning Department. The applicant and property owners within 1/2 mile will be contacted to participate. This conference is intended to facilitate the sharing of information about proposed aggregate extraction projects.

(2) If required, the application for a zone change submitted by the developer, will be reviewed at a public hearing by the Planning Commission. Approval shall be guided by ch. 1, sec. 1 (Intent), sec. 2 (Goals and Policy) and the guidelines in section (d) of this section.

(3) The Planning Commission shall submit a written recommendation on the zone change application to the Board as follows: approval as submitted; approval subject to conditions or modifications; denial of the preliminary application; or table to a date specific. With the approval of the applicant, the Commission may table the application indefinitely or it may dismiss the application.

(4) After receipt of the Commission's recommendation, the Board shall conduct a public hearing as required by law. After the close of the hearing, the Board shall: approve the zone change application as recommended by the Commission; approve the application as originally submitted; deny the application; or table to a specific date. With the express consent of the applicant, the Board may table the application indefinitely or dismiss the application.

(5) No zone change application, which has been denied in whole or in part by the Board, may be resubmitted for a period of twelve months from the date of denial, except on the grounds of new evidence or proof of a change in conditions.

(6) After receiving zone change approval, or if a zone change was not required, the applicant shall submit a Conditional Use Permit application. The Conditional Use Permit may require conditions necessary to protect surrounding property owners, and the general public.

(7) The Conditional Use Permit shall be reviewed at a public meeting by the Planning Commission, guided by the policy and intents defined in paragraph (1). The hearing shall be conducted as other Conditional Use Permit applications.

(8) The Planning Commission shall submit written recommendations to the Board as follows: approval as submitted; approval as amended; or denial. The Commission may also table the action to a specific date.

(9) After receipt of the Commission's recommendation, the Board shall consider the application as required by law. The Board shall: approve the Conditional Use Permit as submitted; approve the Conditional Use Permit as recommended by the Commission; approve as amended; deny the application; or table the application to a specific date. With the consent of the applicant, the Board may table the application indefinitely, or dismiss the application.

(10) No zone change application or Conditional Use Permit submitted under this Section which has been denied in whole or in part by the Board may be resubmitted for a period of twelve months, except on the grounds of new evidence or proof of a change in conditions.

Section 15. Communication Towers and Wireless Telecommunication Facilities

A. Overall Policy

In order to ensure that the placement, construction, and modification of Wireless Telecommunications Facilities protects the County's health, safety, public welfare, environmental features, the nature and character of the community and neighborhood and other aspects of the quality of life specifically listed elsewhere in this Resolution, the County hereby adopts an overall policy with respect to a review process for Wireless Telecommunications Facilities for the express purpose of achieving the following goals:

(1) Implementing an Application process for person(s) seeking a Conditional Use Permit for Wireless Telecommunications Facilities;

(2) Establishing a policy for examining an application for and issuing a Conditional Use Permit for Wireless Telecommunications Facilities that is both fair and consistent.

(3.) Promoting and encouraging, wherever possible, the sharing and/or co-location of Wireless Telecommunications Facilities among service providers;

(4.) Promoting and encouraging, wherever possible, the placement, height and quantity of Wireless Telecommunications Facilities in such a manner, including but not limited to the use of stealth technology, to minimize adverse aesthetic and visual impacts on the land, property, buildings, and other facilities adjacent to, surrounding, and in generally the same area as the requested location of such Wireless Telecommunications Facilities, which shall mean using the least visually and physically intrusive facility that is not technologically or commercially impracticable under the facts and circumstances.

B. Definitions

(1.) "Accessory Facility or Structure" means an accessory facility or structure serving or being used in conjunction with Wireless Telecommunications Facilities, and located on the same property or lot as the Wireless Telecommunications Facilities, including but not limited to, utility or transmission equipment storage sheds or cabinets.

(2.) "Advanced telecommunications capability" – high-speed, switched, broadband telecommunication capability which enables users to originate and receive high-quality voice, data, graphics and video telecommunications using any technology. The term employed without regard to any transmission media or technology.

(3.) "Applicant" means any Wireless service provider submitting an Application for a Conditional Use Permit for Wireless Telecommunications Facilities.

(4.) “Application” means all necessary and appropriate documentation that an Applicant submits in order to receive a Conditional Use Permit for Wireless Telecommunications Facilities.

(5.) “Antenna” means a system of electrical conductors that transmit or receive electromagnetic waves or radio frequency or other wireless signals. Such shall include, but not be limited to radio, television, cellular, paging, personal Telecommunications services (PCS), microwave Telecommunications and services not licensed by the FCC, but not expressly exempt from the County’s siting, building and permitting authority...[‘Wireless Telecommunications Facilities’ are] structure[s] and facilities] intended for transmitting and/or receiving radio, television, cellular, paging 911, personal telecommunications services, commercial satellite services, microwave services and services not licensed by the FCC, but not expressly exempt for the County’s sitting, building and permitting authority , excluding those used exclusively for the County’s fire, police and exclusively for private citizen’s bands, amateur radio and television reception and private citizen’s bands, amateur radio and other similar commercial and non-commercial telecommunications where the height of the facility is below the height limits set forth in this resolution.”

(6.) “Board” means the Board of County Commissioners.

(7.) “Co-location” means the use of a Tower or structure to support Antennae for the provision of wireless services without increasing the height of the Tower or structure.

(8.) “Commercial Impracticability” or “Commercially Impracticable” means the inability to perform an act on terms that are reasonable in commerce, the cause or occurrence of which could not have been reasonably anticipated or foreseen and that jeopardizes the financial efficacy of the project. The inability to achieve a satisfactory financial return on investment or profit, standing alone, shall not deem a situation to be “commercially impracticable” and shall not render an act or the terms of an agreement “commercially impracticable”.

(9.) “Completed Application” means an Application that contains all information and/or data necessary to enable an informed decision to be made with respect to an Application.

(10.) “Competitive Local Exchange Carrier (CLEC)” – a local exchange carrier that provides some or all of the interstate exchange access services used to send traffic to or from an end user and does not fall within the definition of “incumbent local exchange carrier” in 47 U.S.C. 251 (h).

(11.) “County” means Natrona County, Wyoming

(12.) “FAA” means the Federal Aviation Administration, or its duly designated and authorized successor agency.

(13.) “FCC” means the Federal Communications Commission, or its duly designated and authorized successor agency.

(14.) “Height” means, when referring to a Tower or structure, the distance measured from the pre-existing grade level to the highest point on the Tower or structure, even if said highest point is an Antenna or lightening protection device.

(15.) “Local Exchange Carrier (LEC)” – any person that is engaged in the provision of telephone exchange service or exchange access. The term does not include a person insofar as such person is engaged in the provision of a commercial mobile service, except to the extent the Federal Communications Commission finds that such service should be included in the definition of the term.

(16.) “Modification” or “Modify” means, the addition, removal or change of any of the physical and visually discernable components or aspects of a wireless facility, that in the judgment of the County shall require additional review as provided for in these regulations. A Modification shall not include the replacement of any components of a wireless facility where the replacement is identical to the component being replaced or for any matters that involve the normal repair and maintenance of a wireless facility without adding, removing or changing anything.

(17.) “NIER” means Non-Ionizing Electromagnetic Radiation

(18.) “Person” means any individual, corporation, estate, trust, partnership, joint stock company, association of two (2) or more persons having a joint common interest, or any other entity.

(19.) “Personal Wireless Facility” See definition for ‘Wireless Telecommunications Facilities’.

(20.) “Personal Wireless Services” or “PWS” or “Personal Telecommunications Service” or “PCS” shall have the same meaning as defined and used in the 1996 Telecommunications Act.

(21.) “Telecommunication Site” See definition for Wireless Telecommunications Facilities.

(22.) “Conditional Use Permit” means the official document or permit by which an Applicant is allowed to construct and use Wireless Telecommunications Facilities as granted or issued by the County.

(23.) “Stealth” or “Stealth Technology” means minimize adverse aesthetic and visual impacts on the land, property, buildings, and other facilities adjacent to, surrounding, and in generally the same area as the requested location of such Wireless Telecommunications Facilities, which shall mean using the least visually

and physically intrusive facility that is not technologically or commercially impracticable under the facts and circumstances.

(24.) “State” means the State of Wyoming.

(25.) “Telecommunications” means the transmission and/or reception of audio, video, data and other information by wire, radio frequency, light and other electronic or electromagnetic systems.

(26.) “Telecommunications Structure” means a structure used in the provision of services described in the definition of ‘Wireless Telecommunications Facilities’.

(27.) “Temporary” means, temporary in relation to all aspects and components of this Resolution, something intended to, or that does, exist for fewer than ninety (90) days.

(28.) “Wireless Telecommunications Facilities” means and includes a “Telecommunications Tower” and “Tower” and “Telecommunications Site” and “Personal Wireless Facility” means a structure, facility or location designed, or intended to be used as, or used to support, Antennas or other transmitting or receiving devices. This includes without limit, Towers of all types and kinds and structures that employ camouflage technology, including, but not limited to structures such as a multi-story building, church steeple, silo, water tower, sign or other structures that can be used to mitigate the visual impact of an Antenna or the functional equivalent of such, including all related facilities such as cabling, equipment shelters and other structures associated with the site. It is a structure and facility intended for transmitting and/or receiving radio, television, cellular, paging, 911, personal telecommunications services, commercial satellite services, microwave services and services not licensed by the FCC, but not expressly exempt from the County’s siting, building and permitting authority, excluding those used exclusively for the County’s fire, police or exclusively for private, non-commercial radio and television reception and private citizen’s bands, amateur radio and other similar commercial and non-commercial Telecommunications where the height of the facility is below the height limits set forth in this resolution.

C. Location of Wireless Telecommunications Facilities

a. Applicants for Wireless Telecommunications Facilities shall locate, site and erect said Wireless Telecommunications Facilities in accordance with the following priorities, one (1) being the highest priority and eight (8) being the lowest priority.

(1) On County or other publicly owned facilities;

(2) On existing Towers or other structures without increasing the height of the tower or structure;

(3) On Casper Mountain in existing tower sites – Tower Hill, K2 Tower and Micro Road.

(4) On properties in areas zoned HI (Heavy Industrial)

(5) On properties in areas zoned LI (Light Industrial)

(6) On properties in areas zoned C (Commercial)

(7) On properties in areas zoned RAM (Ranching, Agricultural and Mining)

(8) On properties in areas zoned UA (Urban Agricultural)

b. Applicants proposing to co-locate on existing structures or towers, (1) or (2) above, are exempt from these regulations. Applicants must apply for necessary building, zoning, or other permits. A copy of the antenna FCC tower registration shall be filed with the Development Department.

c. If the proposed site is not proposed for the highest priority listed above, then the County may request a detailed explanation as to why a site of a higher priority was not selected. The person seeking such an exception must satisfactorily demonstrate the reason or reasons why such a permit should be granted for the proposed site, and the hardship that would be incurred by the Applicant if the permit were not granted for the proposed site.

d. An Applicant may not by-pass sites of higher priority by stating the site proposed is the only site leased or selected. An Application shall address co-location as an option. If such option is not proposed, the applicant must explain to the reasonable satisfaction of the County why co-location is commercially or otherwise impracticable. Agreements between providers limiting or prohibiting co-location shall not be a valid basis for any claim of commercial impracticability or hardship.

e. Notwithstanding the above, the County may approve any site located within an area in the above list of priorities, provided that the County finds that the proposed site is in the best interest of the health, safety and welfare of the County and its inhabitants and will not have a deleterious effect on the nature and character of the community and neighborhood.

f. The Applicant shall submit a written report demonstrating the Applicant's review of the above locations in order of priority, demonstrating the technological reason for the site selection. If appropriate, based on selecting a site of lower priority, a detailed written explanation as to why sites of a higher priority were not selected shall be included with the Application, if requested by the County.

g. Notwithstanding that a potential site may be situated in an area of highest priority or highest available priority, the County may disapprove an Application for any of the following reasons:

(1) Conflict with safety and safety-related codes and requirements;

(2) Conflict with the historic nature or character of a neighborhood or historical district;

(3) The use or construction of Wireless Telecommunications Facilities which is contrary to an already stated purpose of a specific zoning or land use designation;

(4) The placement and location of Wireless Telecommunications Facilities which would create an unacceptable risk, or the reasonable probability of such, to residents, the public, employees and agents of the County, or employees of the service provider or other service providers;

(5) Conflicts with the provisions of this Resolution.

D. Shared Use of Wireless Telecommunication Facilities and Other Structures

(1.) Locating on existing Towers or others structures without increasing the height, shall be preferred by the County, as opposed to the construction of a new Tower. The Applicant shall submit a comprehensive report inventorying existing Towers and other suitable structures within four (4) miles of the location of any proposed new Tower, unless the Applicant can show that some other distance is more reasonable and demonstrate conclusively why an existing Tower or other suitable structure cannot be used.

(2.) An Applicant intending to locate on an existing Tower or other suitable structure shall be required to document the intent of the existing owner to permit its use by the Applicant.

(3.) Such shared use shall consist only of the minimum Antenna array technologically required to provide service primarily and essentially within the County, to the extent practicable, unless good cause is shown.

(4.) For permitting requirements, see C.(2) above.

E. Design Standards

(1.) Height of Telecommunication Tower(s)

(a) The Applicant shall submit documentation justifying the total height of any Tower, Facility and/or Antenna and the basis therefore. Such documentation will be analyzed in the context of the justification of the height needed to provide service primarily and essentially within the County, to the extent practicable, unless good cause is shown.

(b) No Tower constructed after the effective date of this Resolution, including allowing for all attachments, shall exceed that height which shall permit operation without required artificial lighting of any kind in accordance with municipal, County, State, and/or any Federal statute, law, local law, County resolution, code, rule or regulation.

(2.) Appearance and Visibility of Wireless Telecommunication Facilities

(a.) Wireless Telecommunications Facilities shall not be artificially lighted or marked, except as required by Law. If lighting is required, Applicant shall provide a detailed plan for sufficient lighting of as unobtrusive and inoffensive an effect as is permissible under State and Federal regulations.

(b.) Towers shall be galvanized or painted with a rust-preventive paint of an appropriate color to harmonize with the surroundings and shall be maintained in accordance with the requirements of this Resolution and in compliance with FAA regulations.

(3.) Security of Wireless Telecommunication Facilities. All Wireless Telecommunications Facilities and Antennas shall be located, fenced or otherwise secured in a manner that prevents unauthorized access. Specifically:

(a.) All Antennas, Towers and other supporting structures, including guy wires, shall be made inaccessible to individuals and constructed or shielded in such a manner that they cannot be climbed or collided with; and

(b.) Transmitters and Telecommunications control points shall be installed such a manner that they are readily accessible only to persons authorized to operate or service them.

(4.) Signage.

Wireless Telecommunications Facilities shall contain a sign no larger than four (4) square feet in order to provide adequate notification to persons in the immediate area of the presence of an Antenna that has transmission capabilities and shall contain the name(s) of the owner(s) and operator(s) of the Antenna(s) as well as emergency phone number(s). The sign shall be on the equipment shelter or cabinet of the Applicant and be visible from the access point of the site and must identify the equipment owner of the shelter or cabinet. The sign shall not be lighted, unless lighting is required by applicable law, rule or regulation. No other signage, including advertising, shall be permitted.

(5.) Lot Size and Setbacks.

(a.) All proposed Towers and any other proposed Wireless Telecommunications Facility structures shall be set back from abutting parcels,

recorded rights-of-way and road and street lines by the greater of the following distances: A distance equal to the height of the proposed Tower or Wireless Telecommunications Facility structure plus ten percent (10%) of the height of the Tower or structure, or the existing setback requirement of the underlying zoning district, whichever is greater. Any Accessory structure shall be located so as to comply with the applicable minimum setback requirements for the property on which it is situated.

(b.) The Board of County Commissioners may grant a variance from this setback requirement if the applicant can provide structural drawings and plans, signed by a licensed engineer in the State of Wyoming that certifies that in the event the tower collapses, relief from the standard setback requirements would not pose a threat to health and safety of adjacent property owners.

F. Review and Approval Process

(1.) Preapplication Conference. An informal preapplication conference will be scheduled and conducted between the Applicant and the Development Department. The purpose of the conference will include but not be limited to the sharing of information about the proposed application(s), identify and resolve questions and conflicts, discuss any proposed variances to the requirements contained in this Resolution, and make a preliminary determination as to the amount of escrow required. The County shall make a determination as to whether an informal neighborhood meeting shall be conducted.

(2.) Informal Neighborhood Meeting. At the County's option, property owners within a one-mile radius of the proposed site(s) will be invited to attend an informal meeting. The purpose of the conference is to facilitate the sharing of information about the proposed applications(s), identify and resolve questions and conflicts.

(3.) "Balloon Test." In order to better inform the public, in the case of a new Telecommunication Tower, the County may request, prior to the public hearing on the application, that the applicant hold a "balloon test". The Applicant shall arrange to fly, or rise upon a temporary mast, a minimum of a three (3) foot in diameter brightly colored balloon at the maximum height of the proposed new Tower. The dates, (including a second date, in case of poor visibility on the initial date) times and location of this balloon test shall be advertised by the Applicant seven (7) and fourteen (14) days in advance of the first test date in a newspaper with a general circulation in the County. The Applicant shall inform the County, in writing, of the dates and times of the test, at least fourteen (14) days in advance. The balloon shall be flown for at least four (4) consecutive hours sometime between 7:00 am and 4:00 pm on the dates chosen. The primary date shall be on a weekend, but in case of poor weather on the initial date, the secondary date may be on a weekday. With the express permission of the County, the Applicant may propose an alternative means or technology which shall accomplish the same purposes as the "balloon test."

(4.) Unless otherwise exempted by these regulations, applications for the construction or installation of new Wireless Telecommunication Facilities shall be require Conditional Use Permit review, as set forth in these regulations. All applications for the construction or installation of new Wireless Telecommunications Facilities shall contain the information hereinafter set forth. The application shall be signed by an authorized individual on behalf of the Applicant. Where a certification is called for, such certification shall bear the signature and seal of a Professional Engineer licensed in the State of Wyoming. The Application shall include the following information:

(a.) Documentation that demonstrates the need for the Wireless Telecommunications Facility to provide service primarily and essentially within the County. Such documentation shall include propagation studies of the proposed site and all adjoining planned, proposed, in-service or existing sites, including all modeling information used to derive the propagation studies and copies of equipment cut sheets;

(b.) The Name, address and phone number of the person preparing the report;

(c.) The Name, address, and phone number of the property owner, operator, and Applicant and to include the legal form of the Applicant;

(d.) The Postal address and tax map parcel number of the property;

(e.) The Zoning District or designation in which the property is situated;

(f.) Size of the property stated both in square feet and lot line dimensions, and a diagram showing the location of all lot lines;

(g.) The Location of nearest residential structure;

(h.) The Location, size and height of all structures on the property which is the subject of the Application;

(i.) The Location, size and height of all proposed and existing antennae and all appurtenant structures;

(j.) The Type, locations and dimensions of all proposed and existing landscaping, and fencing;

(k.) The number, type and design of the Tower(s) and Antenna(s) proposed and the basis for the calculations of the Tower's capacity to accommodate multiple users;

(l.) The make, model and manufacturer of the Tower and Antenna(s);

(m.) A description of the proposed Tower and Antenna(s) and all related fixtures, structures, appurtenances and apparatus, including height above pre-existing grade, materials, color and lighting;

(n.) The frequency, modulation and class of service of radio or other transmitting equipment;

(o.) The actual intended transmission and the maximum effective radiated power of the Antenna(s);

(p.) Direction of maximum lobes and associated radiation of the Antenna(s);

(q.) Certification that the NIER levels at the proposed site are within the threshold levels adopted by the FCC in the form and format required by the County or its consultant;

(r.) Certification that the proposed Antenna(s) will not cause interference with other telecommunications devices;

(s.) A copy of the FCC license applicable for the intended use of the Wireless Telecommunications Facilities;

(t.) Certification that a topographic and geomorphologic study and analysis has been conducted, and that taking into account the subsurface and substrata, and the proposed drainage plan, that the site is adequate to assure the stability of the proposed Wireless Telecommunications Facilities on the proposed site.

(u.) The applicant will provide a written copy of an analysis, completed by a qualified individual or organization, to determine if the Tower or existing structure intended to support wireless facilities requires lighting under Federal Aviation Administration Regulation Part 77. This requirement shall be for any new tower or for an existing tower or building where the application increases the height of the structure or building. If this analysis determines that the FAA must be contacted, then all filings with the FAA, all responses from the FAA and any related correspondence shall be provided in a timely manner.

(v.) In the case of a new Tower, the Applicant shall be required to submit a written report demonstrating its meaningful efforts to secure shared use of existing Tower(s) or the use of alternative buildings or other structures within the County. Copies of written requests and responses for shared use shall be provided to the County in the Application, along with any letters of rejection stating the reason for rejection.

(w.) The Applicant shall certify that the Telecommunication Facility, foundation and attachments are designed and will be constructed to meet all local, County, State and Federal structural requirements for loads, including wind and ice loads.

(x.) The Applicant shall certify that the Wireless Telecommunications Facilities will be effectively grounded and bonded so as to protect persons and property and installed with appropriate surge protectors.

(y.) An Applicant may be required to submit an Environmental Assessment Analysis and a Visual addendum. Based on the results of the Analysis, including the Visual addendum, the County may require submission of a more detailed visual analysis. The scope of the required Environmental and visual assessment will be reviewed at the pre-application meeting.

(z.) The Applicant shall furnish a Visual Impact Assessment, which shall include:

(i.) A "Zone of Visibility Map" which shall be provided in order to determine locations from which the Tower may be seen.

(ii.) Pictorial representations of "before and after" views from key viewpoints both inside and outside of the County as may be appropriate, including but not limited to state highways and other major roads; state and local parks; other public lands; historic districts; preserves and historic sites normally open to the public; and from any other location where the site is visible to a large number of visitors, travelers or residents. Guidance will be provided, concerning the appropriate key sites at a pre-application meeting.

(iii.) An assessment of the visual impact of the Tower base, guy wires and accessory buildings from abutting and adjacent properties and streets as relates to the need or appropriateness of screening.

(A.) The Applicant shall demonstrate and provide in writing and/or by drawing how it shall effectively screen from view the base and all related facilities and structures of the proposed Wireless Telecommunications Facilities.

Any and all representations made by the Applicant to the County on the record during the Application process, whether written or verbal, shall be deemed a part of the Application and may be relied upon in good faith by the County.

Pursuant to W.S. 16-16-4-203(a), confidential information or trade secrets submitted as part of the permit application will not be considered as part of the public record in the matter, and will, to the extent allowed by Wyoming statute, be exempt from public disclosure. Applicant shall clearly label such information as confidential or trade secret. This information, while not released to the public, may be exchanged and considered by

and among the Development Department, the Planning Commission and/or the Board of County Commissioners, their employees, agents and contractual experts.

(5.) All utilities at a Wireless Telecommunications Facilities site shall be installed underground and in compliance with all Laws, resolutions, rules and regulations of the County, including specifically, but not limited to, the National Electrical Safety Code and the National Electrical Code where appropriate.

(6.) All Wireless Telecommunications Facilities shall contain a demonstration that the Facility be sited so as to be the least visually intrusive reasonably possible and thereby have the least adverse visual effect on the environment and its character, on existing vegetation, and on the residences in the area of the Wireless Telecommunications Facility.

(7.) Both the Wireless Telecommunications Facility and any and all accessory or associated facilities shall maximize the use of building materials, colors and textures designed to blend with the structure to which it may be affixed and/or to harmonize with the natural surroundings, this shall include the utilization of stealth or concealment technology as may required by the County.

(8.) At a Telecommunications Site, an access road, turn around space and parking shall be provided to assure adequate emergency and service access. Maximum use of existing roads, whether public or private, shall be made to the extent practicable. Road construction shall at all times minimize ground disturbance and the cutting of vegetation. Road grades shall closely follow natural contours to assure minimal visual disturbance and reduce soil erosion.

(9.) A Person who holds a Conditional Use Permit for Wireless Telecommunications Facilities shall construct, operate, maintain, repair, provide for removal of, modify or restore the permitted Wireless Telecommunications Facilities in strict compliance with all current applicable technical, safety and safety-related codes adopted by the County, County, State, or United States, including but not limited to the most recent editions of the National Electrical Safety Code and the National Electrical Code, as well as accepted and responsible workmanlike industry practices and recommended practices of the National Association of Tower Erectors. The codes referred to are codes that include, but are not limited to, construction, building, electrical, fire, safety, health, and land use codes. In the event of a conflict between or among any of the preceding the more stringent shall apply.

(10.) A holder of a Conditional Use Permit granted under this Resolution shall obtain, at its own expense, all permits and licenses required by applicable Law, rule, regulation or code, and must maintain the same, in full force and effect, for as long as required by the County or other governmental entity or agency having jurisdiction over the applicant.

(11.) An Applicant shall submit to the County the number of completed Applications determined to be needed at the pre-application meeting. Written notification of the Application shall be provided to the legislative body of all adjacent municipalities and to the County Planning Department.

(12.) The Applicant shall examine the feasibility of designing a proposed Tower to accommodate future demand for additional commercial applications, for example, future co-locations. The Tower shall be structurally designed to accommodate additional Antenna Arrays equal to those of the Applicant, and located as close to the Applicant's Antenna as possible without causing interference. This requirement may be waived, provided that the Applicant, in writing, demonstrates that the provisions of future shared usage of the Tower is not technologically feasible, is Commercially Impracticable or creates an unnecessary and unreasonable burden, based upon:

- (a) The foreseeable number of FCC licenses available for the area;
- (b) The kind of Wireless Telecommunications Facilities site and structure proposed;
- (c) The number of existing and potential licenses without Wireless Telecommunications Facilities spaces/sites;
- (d) Available space on existing and approved Towers.

(13.) The owner of the proposed new Tower, and his/her successors in interest, shall negotiate in good faith for the shared use of the proposed Tower by other Wireless service providers in the future, and shall:

- (a.) Respond within sixty (60) days to request for information from a potential shared-use applicant;
- (b.) Negotiate in good faith concerning future requests for shared use of the new Tower by other Telecommunications providers;
- (c.) Allow shared use of the new Tower if another Telecommunications provider agrees in writing to pay reasonable charges. The charges may include, but are not limited to, a pro rata share of the cost of site selection, planning, project administration, land costs, site design, construction and maintenance financing, return on equity, less depreciation and all of the costs of adapting the Tower or equipment to accommodate a shared user without causing electromagnetic interference and to allow a reasonable profit.

Failure to abide by the conditions outlined above may be grounds for revocation of the Conditional Use Permit for the Tower.

(14.) The holder of a Conditional Use Permit shall notify the County of any intended modification of a Wireless Telecommunication Facility and shall apply to the County to modify, relocate or rebuild a Wireless Telecommunications Facility.

(15.) The applicant will provide a written copy of an analysis, completed by a qualified individual or organization, to determine if the Tower or existing structure intended to support wireless facilities requires lighting under Federal Aviation Administration Regulation Part 77. This requirement shall be for any new tower or for an existing structure or building where the application increases the height of the structure or building. If this analysis determines, that the FAA must be contacted, then all filings with the FAA, all responses from the FAA and any related correspondence shall be provided in a timely manner.

G. Application Fee

(1.) At the time that a person submits an Application for a Conditional Use Permit for a new Tower, such person shall pay a non-refundable application fee, as determined by the County.

(2.) No application fee is required in order to re-certify a Conditional Use Permit for Wireless Telecommunications Facilities, unless there has been a visible modification of the Wireless Telecommunications Facility since the date of the issuance of the existing Conditional Use Permit for which the conditions of the Conditional Use Permit have not previously been modified. In the case of any modification, the fees provided in Subsection (1) shall apply.

H. Exemption.

(1.) Communication Towers less than or equal to forty-five (45) feet in height and Communication Tower and Antenna combinations less than or equal to seventy (70) feet in height, which are owned and operated by non-commercial users, including ham radio operators and other communication enthusiasts and are located not less than one (1) mile from any other zoning district shall be exempt from the requirements of Chapter VII of this Resolution except as otherwise hereinafter expressly provided.

(a) Non-commercial users hereunder shall comply with the requirements of Chapter IV, Section 1 of this Resolution in regard to obtaining a Zoning Certificate prior to installation of Communication Towers less than or equal to forty-five (45) feet in height and Communication Tower and Antenna combinations less than or equal to seventy (70) feet in height at locations not less than one (1) mile from any other zoning district, and shall pay applicable fees associated with such Zoning Certificate.

(b) Non-commercial users hereunder shall comply with the requirements of Chapter IV of this Resolution in regard to obtaining a Building Permit prior to installation of Communication Tower less than or equal to forty-five (45) feet in

height and Communication Tower and Antenna combinations less than or equal to seventy (70) feet in height at locations not less than one (1) mile from any other zoning district, and shall pay applicable fees associated with such Building Permit.

(c) Non-commercial users hereunder shall furnish GPS coordinates for each installed Communication Tower and Communication Tower and Antenna combination to the Natrona County Development Department.

(d) Non-commercial users hereunder shall pay a non-refundable registration fee, as determined by the County. This fee shall be in addition to other fees assessed by the County, such as building and electrical permit fees.

(e) Non-commercial users hereunder shall comply with the requirements of Section 15-j and 15-o of this Chapter VII.

(2.) Communication Tower and Antenna combinations less than or equal to forty-five (45) feet in height which are owned and operated as Wireless Telecommunications Facilities by a Competitive Local Exchange Carrier (CLEC) shall be exempt from the requirements of Chapter VII of this Resolution, provided that the CLEC fully meets each of the following criteria:

(a) The CLEC provides a fixed location wireless service consisting of traditional landline service to fixed locations;

(b) The CLEC is regulated by the Wyoming Public Service Commission as evidenced by a Certificate of Public Convenience and Necessity;

(c) The CLEC is a contributor to the Federal Universal Service Fund (FUSF);

(d) The CLEC provides full 911 service, including GIS positioning and physical address location together with 911;

(e) The CLEC is neither a cellular nor a Personal Communication System (PCS) provider; and,

(f) The CLEC complies with all applicable provisions of the Wyoming Telecommunications Act (W.S. 37-15-101 *et seq*).

I. Retention of Expert Assistance and Reimbursement by Applicant.

If after the pre-application conference or informal neighborhood meeting, the County determines that a consultant is necessary, the County will advise the applicant. The applicant will be given the opportunity to alleviate any concerns that the County has through the provision of additional information or further certification by an engineer licensed in the State of Wyoming. If the County still feels it necessary to obtain such

assistance, the County will advise the applicant of the estimated cost for such expertise. The County shall notify the applicant of its decision and the applicant shall have the option to proceed with the application, including the cost for such expertise, or withdraw the application.

In the event the applicant agrees to proceed with the application process, the applicant shall deposit an amount with the County necessary to pay for the reimbursement to the County for the cost of the consultant and expert evaluation. The County will maintain a separate escrow account for all such funds. The County's consultant/expert shall invoice the County for its services. All such invoices must be approved by the Natrona County Development Department. The applicant shall be provided with copies of invoices for those services before the County approves and remits payment. In the event the applicant feels such charges are unreasonable, the applicant shall be allowed to appear before the Natrona County Planning Commission at its next work or official meeting session to voice its objections.

J. Performance Security.

The Applicant and/or owner of record of all proposed Wireless Telecommunications Facilities for all sites shall escrow sufficient funds or provide a letter of credit, or execute and file with the County a bond or other form of security acceptable to the County to cover the cost of removal of such tower. "Such other form of security" shall be in the amount of One Thousand Dollars (\$1,000) per tower.

K. Reservation of Authority to Inspect Wireless Telecommunications Facilities.

In order to verify that the holder of a Conditional Use Permit for Wireless Telecommunications Facilities and any and all lessees, renters, and/or licensees of Wireless Telecommunications Facilities, place and construct such facilities, including Towers and Antennas, in accordance with all applicable technical, safety, fire, building, and zoning codes, Laws, resolutions and regulations and other applicable requirements, the County may inspect all facets of said permit holder's, renter's, lessee's or licensee's placement, construction, modification and maintenance of such facilities, including, but not limited to, Towers, Antennas and buildings or other structures constructed or located on the permitted site.

L. Annual NIER Certification.

The holder of the Conditional Use Permit shall, annually, certify to the County that NIER levels at the site are within the threshold levels adopted by the FCC.

M. Liability Insurance.

(1.) A holder of a Conditional Use Permit for Wireless Telecommunications Facilities shall secure and at all times maintain public liability

insurance for personal injuries, death and property damage, and umbrella insurance coverage, for the duration of the Conditional Use Permit in amounts as set forth as follows: Commercial General Liability covering personal injuries, death and property damage: \$250,000 per occurrence/\$500,000 aggregate;

(2.) The Commercial General liability insurance policy shall specifically include the County and its officers, boards, employees, committee members, attorneys, agents and consultants as additional named insureds.

(3.) The insurance policies shall be issued by an agent or representative of an insurance company licensed to do business in the State and with a Best's rating of at least "A".

(4.) The insurance policies shall contain an endorsement obligating the insurance company to furnish the County with at least thirty (30) day's prior written notice in advance of the cancellation of the insurance.

(5.) Renewal or replacement policies or certificates shall be delivered to the County at least fifteen (15) days before the expiration of the insurance that such policies are to renew or replace.

(6.) Before construction of a permitted Wireless Telecommunications Facilities is initiated, but in no case later than fifteen (15) days after the grant of the Conditional Use Permit, the holder of the Conditional Use Permit shall deliver to the County a copy of each of the policies or certificates representing the insurance in the required amounts.

N. Indemnification.

(1.) Any application for Wireless Telecommunication Facilities that is proposed for County property, pursuant to this Resolution, shall contain a provision with respect to indemnification. Such provision shall require the applicant, to the extent permitted by the Law, to at all times defend, indemnify, protect, save, hold harmless, and exempt the County, and its officers, boards, employees, committee members, attorneys, agents and consultants from any and all penalties, damages, costs, or charges arising out of any and all claims, suits, demands, causes of action, or award of damages, whether compensatory or punitive, or expenses arising there from, either at law or in equity, which might arise out of, or are caused by, the placement, construction, erection, modification, location, products performance, use, operation, maintenance, repair, installation, replacement, removal, or restoration of said Facility, excepting, however, any portion of such claims, suits, demands, causes of action or award of damages as may be attributable to the negligent or intentional acts or omissions of the County, or its servants or agents. With respect to the penalties, damages or charges referenced herein, reasonable attorneys' fees, consultants' fees, and expert witness fees are included in those costs that are recoverable by the County.

(2.) Notwithstanding the requirements noted in subsection (A) of this section, an indemnification provision will not be required in those instances where the County itself applies for and secures a Conditional Use Permit for Wireless Telecommunications Facilities, unless said facilities are sold to a private party.

O. Removal of Wireless Telecommunications Facilities.

(1.) Under the following circumstances, the County may determine that the health, safety and welfare interests of the County warrant and require the removal of Wireless Telecommunications Facilities.

(a.) Wireless Telecommunications Facilities with a permit that have been abandoned (i.e. not used as Wireless Telecommunications Facilities) for a period exceeding ninety consecutive (90) days or a total of one hundred-eighty (180) days in any three hundred-sixty five (365) day period, except for periods caused by force majeure or Acts of God, in which case, repair or removal shall commence within ninety (90) days;

(b.) Permitted Wireless Telecommunications Facilities that have fallen into such a state of disrepair that it creates a health or safety hazard;

(c.) Wireless Telecommunications Facilities that have been located, constructed, or modified without first obtaining, or in a manner not authorized by, the required Conditional Use Permit, or any other necessary authorization.

(2.) If the County makes such a determination as noted in subsection (A) of this section, then the County shall schedule public hearings before the Planning Commission and Board of County Commissioners to determine whether said Wireless Telecommunications Facilities are to be removed. The County may approve an interim temporary use agreement/permit, such as to enable the sale of the Wireless Telecommunications Facilities.

(3.) The holder of the Conditional Use Permit, or its successors or assigns, shall dismantle and remove such Wireless Telecommunications Facilities, and all associated structures and facilities, from the site and restore the site to as close to its original condition as is possible, such restoration being limited only by physical or commercial impracticability, within ninety (90) days of receipt of written notice from the County. However, if the owner of the property upon which the Wireless Telecommunications Facilities are located wishes to retain any access roadway to the Wireless Telecommunications Facilities, the owner may do so with the approval of the County.

(4.) If Wireless Telecommunications Facilities are not removed or substantial progress has not been made to remove the Wireless Telecommunications Facilities within ninety (90) days after the permit holder has received notice, then the County may order officials or representatives of the County to remove the Wireless

Telecommunications Facilities at the sole expense of the owner or Conditional Use Permit holder.

(5.) If, the County removes, or causes to be removed, Wireless Telecommunications Facilities, and the owner of the Wireless Telecommunications Facilities does not claim and remove it from the site to a lawful location within ten (10) days, then the County may take steps to declare the Wireless Telecommunications Facilities abandoned, and sell them and their components.

(6.) Notwithstanding anything in this Section to the contrary, the County may approve a temporary use permit/agreement for the Wireless Telecommunications Facilities, for no more ninety (90) days, during which time a suitable plan for removal, conversion, or re-location of the affected Wireless Telecommunications Facilities shall be developed by the holder of the Conditional Use Permit, subject to the approval of the County, and an agreement to such plan shall be executed by the holder of the Conditional Use Permit and the County. If such a plan is not developed, approved and executed within the ninety (90) day time period, then the County may take possession of and dispose of the affected Wireless Telecommunications Facilities in the manner provided in this Section.

P. Adherence to State and/or Federal Rules and Regulations.

(1.) To the extent that the holder of a Conditional Use Permit for Wireless Telecommunications Facilities has not received relief, or is otherwise exempt, from appropriate State and/or Federal agency rules or regulations, then the holder of such a Conditional Use Permit shall adhere to, and comply with, all applicable rules, regulations, standards, and provisions of any State or Federal agency, including, but not limited to, the FAA and the FCC. Specifically included in this requirement are any rules and regulations regarding height, lighting, security, electrical and RF emission standards.

(2.) To the extent that applicable rules, regulations, standards, and provisions of any State or Federal agency, including but not limited to, the FAA and the FCC, and specifically including any rules and regulations regarding height, lighting, and security are changed and/or are modified during the duration of a Conditional Use Permit for Wireless Telecommunications Facilities, then the holder of such a Special Use Permit shall conform the permitted Wireless Telecommunications Facilities to the applicable changed and/or modified rule, regulation, standard, or provision within a maximum of twenty-four (24) months of the effective date of the applicable changed and/or modified rule, regulation, standard, or provision, or sooner as may be required by the issuing entity.

Q. Recertification of a Conditional Use Permit for Wireless Telecommunications Facilities.

(1.) Between twelve (12) months and six (6) months prior to the five (5) year anniversary date after the effective date of the Conditional Use Permit and all subsequent five (5) year anniversaries of the effective date of the original Conditional

Use Permit for Wireless Telecommunications Facilities, the holder of a Conditional Use Permit for such Wireless Telecommunication Facilities shall submit a signed written request to the County for recertification. In the written request for recertification, the holder of such Conditional Use Permit shall note the following:

(a) The name of the holder of the Conditional Use Permit for the Wireless Telecommunications Facilities;

(b) If applicable, the number or title of the Conditional Use Permit;

(c) The date of the original granting of the Conditional Use Permit;

(d) Whether the Wireless Telecommunications Facilities have been moved, re-located, rebuilt, or otherwise visibly modified since the issuance of the Conditional Use Permit and if so, in what manner;

(e) If the Wireless Telecommunications Facilities have been moved, re-located, rebuilt, or otherwise visibly modified, then whether the County approved such action, and under what terms and conditions, and whether those terms and conditions were complied with;

(f) That the Wireless Telecommunications Facilities are in compliance with the Conditional Use Permit and compliance with all applicable codes, Laws, rules and regulations;

(g) Recertification that the Tower and attachments both are designed and constructed and continue to meet all local, County, State and Federal structural requirements for loads, including wind and ice loads. Such recertification shall be by a Professional Engineer licensed in the State, the cost of which shall be borne by the Applicant.

(2.) If, after such review, the County determines that the permitted Wireless Telecommunications Facilities are in compliance with the Conditional Use Permit and all applicable statutes, laws, local laws, resolutions, codes, rules and regulations, then the County issue a recertification of the Conditional Use Permit for the Wireless Telecommunications Facilities, which may include any new provisions or conditions that are mutually agreed upon, or that are required by applicable statutes, laws, resolutions, codes, rules or regulations. If, after such review it is determined that the permitted Wireless Telecommunications Facilities are not in compliance with the Conditional Use Permit and all applicable statutes, laws, resolutions, codes, rules and regulations, then the County may refuse to issue a recertification Conditional Use Permit for the Wireless Telecommunications Facilities, and in such event, such Wireless Telecommunications Facilities shall not be used after the date that the Applicant receives written notice of the decision by the County until such time as the Facility is brought into compliance. Any decision requiring the cessation of use of the Facility or

imposing a penalty shall be in writing and supported by substantial evidence contained in a written record and shall be promptly provided to the owner of the Facility.

(3.) If the Applicant has submitted all of the information requested and required by this Resolution, and if the review is not completed, as noted in subsection (B) of this section, prior to the five (5) year anniversary date of the Conditional Use Permit, or subsequent five (5) year anniversaries, then the Applicant for the permitted Wireless Telecommunications Facilities shall receive an extension of the Conditional Use Permit for up to six (6) months, in order for the completion of the review.

(4.) If the holder of a Conditional Use Permit for Wireless Telecommunications Facilities does not submit a request for recertification of such Conditional Use Permit within the timeframe noted in subsection (A) of this section, then such Conditional Use Permit and any authorizations granted there under shall cease to exist on the date of the fifth anniversary of the original granting of the Conditional Use Permit, or subsequent five (5) year anniversaries, unless the holder of the Conditional Use Permit adequately demonstrates that extenuating circumstances prevented a timely recertification request. If the County agrees that there were legitimately extenuating circumstances, then the holder of the Conditional Use Permit may submit a late recertification request or Application for a new Conditional Use Permit.

R. The Board reserves the right to amend these regulations, or to allow exceptions for the literal application of these requirements, when the Board determines it is in the best interest of the public to do so, pursuant to the applicable provisions of the Natrona County Zoning Resolution.

Revised and Adopted June 16, 2009

Revised and Adopted November 17, 2009

Section 16. Adult Entertainment Establishments.

a. Purpose: It is the purpose of this section to regulate adult sexually oriented businesses to promote the health, safety, and general welfare of the citizens of Natrona County, and to establish reasonable and uniform regulations to prevent the adverse secondary effects and deleterious location and concentration of adult entertainment businesses within Natrona County. The provisions of this resolution have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative material, including sexually oriented materials. Similarly, it is not the intent nor effect of this resolution to restrict or deny access by adults to sexually oriented materials protected by the First Amendment, or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market. It is not the intent nor effect of this resolution to condone or legitimize the distribution of obscene material.

b. Findings: Based on evidence concerning the adverse secondary effects of adult uses on the community presented at hearings and in reports made available to the Board of Natrona County Commissioners, upon public testimony received through public hearings conducted by the planning commissions, and by testimony received by the Board of Natrona County Commissioners, and on findings incorporated in the cases of *City of Renton v. Playtime Theaters, Inc.*, 475 U.S. 41 (1986), *Young v. American Mini Theaters*, 426 U.S. 50(1976), and *Barnes v. Glen Theater, Inc.*, 501 U.S. 560 (1991), and on studies and summaries of studies in other communities including, but not limited to, Phoenix, Arizona; Minneapolis, Minnesota; Houston, Texas; Garden Grove, California; Los Angeles, California; Whittier, California; Austin, Texas; Seattle, Washington; Oklahoma City, Oklahoma; Cleveland, Ohio; and Beaumont, Texas; and also on findings from the report to the Attorney General's Working Group On The Regulations Of Sexually Oriented Businesses, (June 6, 1989, State of Minnesota), the Board finds that:

(1) Natrona County has high community standards regarding adult entertainment activity, particularly when nudity occurs as a form of adult entertainment;

(2) The regulation of adult entertainment establishments and sexually oriented businesses is necessary to minimize the secondary effects of adult entertainment establishments and sexually-oriented businesses, including but not limited to, increased crime, decreased property valuations, spread of infectious diseases, and deterioration of neighborhoods; and

(3) The regulation of adult entertainment establishments and sexually oriented businesses will preserve, promote and protect the public health, safety and general welfare of the citizens of Natrona County.

c. Definitions:

(1) Adult booth. A separate enclosure within a structure featuring adult entertainment or adult material. The term adult booth does not include a restroom or a foyer through which any person can enter or exit the establishment.

(2) Adult cabaret. An establishment that features adult entertainment.

(3) Adult entertainment. Any modeling, posing, exhibition, display, or exposure, of any type, whether through book, pictures, film displays, live performance, dance, or modeling, that has as its dominant theme, or is distinguished or characterized by an emphasis on any one or more of the following:

(i) Any actual or simulated specified sexual activities,

(ii) Specified anatomical areas,

(iii) The removal of articles of clothing, or

(iv) Appearing nude or semi-nude.

(4) Adult entertainment establishment. Any adult video or bookstore, adult cabaret, adult booth, adult modeling or display establishment, adult motel, or adult theater.

(5) Adult material. One or more of the following material that have as their primary or dominant theme matter depicting, illustrating, describing or relating to adult entertainment, regardless of whether it is new or used:

(i) Books, magazines, periodicals or other printed matter;

(ii) Photographs, films, motion pictures, video cassettes, slides, or other visual representations;

(iii) Recordings or other audio matter;

(iv) Instruments, novelties, devices or paraphernalia that are designed for use in connection with adult entertainment.

(6) Adult modeling or display establishment. Any establishment whose employees engage in adult entertainment or adult private modeling.

(7) Adult motel. Any motel, hotel, boarding house, rooming house, or other place temporary lodging that includes the word "adult" or "erotic" in any name it uses, or otherwise provides and advertises adult entertainment or adult material.

(8) Adult private modeling. Modeling, posing, exhibition, display, or exposure by an employee relating to adult entertainment before a non-employee while the non-employee is in an area not accessible to all other persons in the establishment, or while the non-employee is in an area wither totally or partially screened or partitioned during such display from the view of all person outside the area. The term private performance is considered private modeling.

(9) Adult theater. An establishment consisting of an enclosed structure, or a portion or part of an enclosed structure, or an open-air area where a person may view adult material or adult entertainment. Generally, the adult material or adult entertainment is pre-recorded material.

(10) Adult video or bookstore. An establishment that sells or rents adult material; however, any establishment meeting all the following criteria shall not be considered an adult video or bookstore:

(i) The adult material is accessible only by employees.

(ii) The individual items of adult material offered for sale and/or rental comprise less than 10 percent of the individual items publicly displayed at the establishment as stock in trade in the following categories: videos, books, magazines, periodicals, other printed matter, slides, other visual representations, recordings, and other audio matter.

(iii) The establishment does not use the following terms in advertisements or other promotional activities relating to the adult materials: "XXX," "XX," "X," or any series of the letter "X" whether or not interspersed with other letters, figures, or characters; "erotic" or deviations of that work; "adult entertainment" or similar phrases; "sex" or "sexual acts" or similar phrases; "nude" or "nudies" or similar phrases; or any other letters, words, or phrases that promote the purchase or rental of adult material.

d. Location of Adult Entertainment Establishments:

(1) No adult entertainment establishment shall be operated or located in any zoning district other than the Commercial and Light Industrial Districts as defined in the Natrona County Zoning Resolution, as amended.

(2) No adult entertainment establishment shall be operated or located within a one thousand (1,000) foot radius of:

(i) Another existing adult entertainment establishment;

(ii) Any church or place of religious worship;

(iii) Any school, public or private, or a state licensed daycare center; or

(iv) The property line of any lot devoted to residential use, which is forty (40) acres or less.

(3) The above distance limitations shall be determined by measurement from the nearest customer entrance of the proposed or existing adult entertainment establishment to the lot, tract or parcel of the use specified in Subsections (i) through (iv) immediately above. The measurement is to be conducted in a radial fashion of one thousand (1000) feet.

(4) No adult entertainment establishment shall be operated or located within two thousand (2,000) feet of a residence which is located on a lot larger than forty (40) acres. This distance limitation shall be conducted in a radial fashion by measurement from the nearest customer entrance of the proposed or existing adult entertainment establishment to nearest exterior part of the residence.

e. Signs:

(1) All adult entertainment establishments shall comply with the provisions of these zoning regulations regarding the type, usage, construction of, and placement of signs. Further, signs for adult entertainment establishments shall not contain any emphasis, wither by movement, picture, or otherwise, on matter relating to adult entertainment as defined herein.

(2) To protect minors from exposure to obscene material, any business providing adult entertainment or adult material shall have in place at each entrance to such business a sign, no greater than one square foot in size, stating "Persons under 18 years of age shall not be admitted".

f. Adult Booths:

(1) All adult entertainment establishments which contain one or more adult booths shall comply with the following standards:

(ii.) The adult entertainment establishment shall be configured in such a manner that there is an unobstructed view from a manager's or employee's station of every area of the premises to which any patron is permitted access for any purpose, excluding restrooms. The view required in this subsection must be by direct line of sight from the manager's or employee's station.

(iii.) At least one employee shall be on duty at all times that any patron is present inside the adult entertainment establishment.

(iv.) All adult booths shall remain unobstructed by any doors, curtains, partitions, walls, merchandise, display racks or other materials and, at all times, no patron shall be permitted access to any area of the premises which has been designated as an area in which patrons will not be permitted.

(v.) No adult booth may be occupied by more than one person at any time.

(vi.) No openings of any kind shall exist between adult booths.

(vii.) No employee or owner of an adult entertainment establishment shall knowingly, or with reasonable cause to know, permit or allow a patron to commit in the adult entertainment establishment an act of "public indecency" as set forth in Wyoming Statute § 6-4-201.

(viii.) Illumination: All adult entertainment establishments shall be equipped with overhead lighting fixtures of sufficient intensity to illuminate everyplace to which patrons are permitted access at an illumination of not less than five foot-candles as measured at the floor level. This level of illumination shall be maintained at all time that any patron is present in the adult entertainment establishment.

(ix.) Restrooms: Restrooms in any adult entertainment establishment shall not contain video viewing or reproduction equipment.

(x.) H
Hours of Operation: No adult entertainment establishment, except for an adult motel, shall be open for business at any time between the hours of 1 a.m. and 8 a.m., Monday through Saturday, or between the hours of 1 a.m. and noon on Sunday.

g. Inspections:

(1) An owner or operator of an adult entertainment establishment shall permit representatives of the Sheriff's Department, City and County Health Department, and the local fire district to inspect the premises of an adult entertainment establishment for the purpose of insuring compliance with the law, at any time it is occupied or open for business.

(2) A person who operates an adult entertainment establishment or his agent or employee commits an offense if he refuses to permit a lawful inspection of the premises by a representative of the county as outlined in paragraph (1) above, at any time it is occupied or open for business. (W.S. § 18-5-206).

(3) The provisions of these sections do not apply to areas of an adult motel which are currently being rented by a customer for use as a permanent or temporary habitation.

h. Severability. If any section, subsection, or clause of this section or article shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections and clauses shall not be affected.

i. Injunction: A person who operates or causes to operate an adult entertainment establishment in violation of any section or part of this section of the Natrona County Zoning Resolution is subject to a suit for injunction as well as prosecution for criminal violations. Such violations shall be punishable by a fine of not more than seven hundred and fifty dollars (\$750.00) per offense. Each day an adult entertainment establishment so operates is a separate offense or violation. (W.S. §§18-5-205 & 206).

j. Minors: No person under the age of eighteen (18) shall be permitted:

- (1) In any adult entertainment establishment;
- (2) To purchase goods or services at an adult entertainment establishment; or
- (3) To work at an adult entertainment establishment as an employee.

Section 17. Small Wind Energy System

1.1 Purpose

The purpose of this amendment is to establish general guidelines for the location of small wind energy systems (SWES) in Natrona County.

It is the purpose of these regulations to protect the public health, safety and general welfare as well as make effective and efficient use of small wind energy system(s).

Natrona County finds that wind energy is an abundant, renewable and nonpolluting energy resource and that its conversion to electricity will reduce dependence on nonrenewable energy resources and decrease the air and water pollution that results from the use of conventional energy sources.

1.2 Small wind energy systems

“Except to the extent otherwise expressly provided in this subsection 1.2, Small Wind Energy Systems (SWES) shall be a permitted use in the Suburban Residential One (SR-1), Suburban Residential Two (SR-2), Urban Residential (UR), Urban Mixed Residential (UMR), Commercial (C), Ranching, Agricultural and Mining (RAM), Urban Agricultural (UA), Rural Residential One (RR-1), Rural Residential Two (RR-2), Light Industrial (LI), Heavy Industrial (HI), Mobile Home (MH), and Planned Unit Development (PUD) zoning districts. SWES shall be a conditional use in the Mountain Residential One (MR-1), Mountain Residential Two (MR-2) and Use Control Area (UCA) zoning districts. All SWES are conditioned upon issuances of a Zoning Certificate and Building Permit.” The approval of the building permit is subject to compliance with the standard application requirements and compliance with all of the following small wind energy system(s) requirements as set forth below:

(a.) Small wind energy system(s): SWES are pole/tower-mounted systems or building-mounted systems of 10kw or less of capacity, not more than forty-five (45) feet (pole/Tower height) for pole tower-mounted systems, except as otherwise provided herein for pole/tower-mounted SWES in the RAM, UA and UCA zoning districts and located in a manner that complies with all of Section 1.2 of these regulations. Systems with a power rating which exceeds 10kw shall be deemed Wind Energy Conversion Systems (WECS) and governed by the applicable provisions of VIII of this Resolution.

(b.) Plans-Compliance: Applications for SWES shall be accompanied by standard drawings of the wind turbine structure, including pole/tower, base and footings. A certified engineering analysis of the SWES showing compliance with the International Building Code (IBC) shall also be submitted. The analysis is frequently supplied by the manufacturer. Notwithstanding any provision to the contrary in that certain document entitled Natrona County Contractor Licensing Rules and Regulations (Instrument No. 648713) and that certain Resolution No. 56-08 (Instrument No.

848557), for all SWES, any and all electrical aspects associated with SWES installation shall be performed by a licensed electrical contractor pursuant to an electrical permit issued by the Natrona County Development Department prior to commencement of installation. For building-mounted SWES an initial inspection, by Natrona County building inspectors, of the building or structure to which a SWES will be attached shall be performed prior to issuance of a building permit. In the event said initial inspection reveals any structural integrity problems, the Natrona County Building Official may require further structural analysis and recommendations regarding the building or structure from a professional engineer licensed in Wyoming, before a building permit will be issued.

(c.) Approved wind turbines: At the time of application, the applicant must present certification from the manufacturer that the system's turbine and other components equal or exceed the standards of the following National Certification programs such as the: California Energy Commission (CEC), National Electrical Code (NEC), American National Standards Institute (ANSI), Underwriters Laboratories (UL), or any other small wind certification program recognized by the American Wind Energy Association.

(d.) Utility Notification: No SWES shall be installed until evidence has been given that the utility company has been informed of the customer's intent to install an interconnected customer-owned generator. Off-Grid systems shall be exempt from this requirement.

(e.) Minimum Parcel Size: The minimum parcel size to establish a SWES is half (1/2) acre.

(f.) Total Height: Maximum height for Zoning Districts (MR-1, MR-2, SR-1, SR-2, UR, UMR, C, RR-1, RR-2, LI, HI, MH, and PUD) pertaining to pole/tower-mounted SWES is forty-five (45) feet (pole/tower height) and, for building-mounted SWES, not more than fifteen (15) feet above the highest point of the roof of the building to which building-mounted SWES are attached. Maximum pole/tower height for pole/tower-mounted SWES in the RAM, UA and UCA zoning districts shall be 100 feet. Provided however, total height, being the vertical distance from the base of the SWES to the tip of a vertically extended blade for pole/tower-mounted SWES in the RAM, UA and UCA zoning districts may be increased from the maximum pole/tower height of 100 feet, by an additional ninety-eight feet, for a total height of one hundred ninety-eight feet (198) as a conditional use, requiring an approved Conditional Use Permit.

(g.) Set Back: The pole/tower-mounted SWES shall be set back a distance equal to one hundred and ten (110) percent of combined height of the tower plus the length to the tip of the blade from all adjacent property lines. Additionally, no portion of the pole/tower-mounted SWES, including guy wire anchors may extend closer than ten (10) feet to the property lines or easements.

(h.) Clear Zone: The pole/tower-mounted SWES shall maintain a circular clear zone that has a radius which is equivalent to one hundred and ten percent

(110%) of the combined height of the pole/tower plus the length to the tip of a vertical blade. This clear zone shall be maintained free of any easements, occupied structures, flammable liquids, utility/electrical lines, and pipelines. For pole/tower-mounted SWES in the RAM, UA and UCA zoning districts which exceed forty-five (45) feet in height, the clear zone shall also maintain a vertical clearance of forty (40) feet from the base of a SWES to the tip of the nearest blade.

(i.) Noise: SWES shall not exceed forty (40) dba, as measured at the closest neighboring inhabited dwelling. The level, however, may be exceeded during short term events such as power outages and/or severe wind storms.

(j.) Signs/Advertising: No tower should have any sign, writing, or picture that may be construed as advertising.

(k.) SWES Color: SWES colors shall be white, off-white, gray, or neutral subdued tones, such as earth tones of green, tan or brown. Manufacturer-issued colors are acceptable, provided, however, that SWES shall not be custom-finished in bright or vivid colors.

(l.) Maintenance: SWES must be maintained in good working order. Turbines that are inoperable for more than three (3) months must be removed by the owner within thirty (30) days of issuance of the zoning violation. Removal includes all of the apparatuses, supports, and/or other hardware associated with the existing turbine.

(m.) Battery Storage: Batteries must be stored in a non-combustible enclosed building. Batteries shall not be stored in any living area.

1.3 Application Requirements

(a.) Owner Consent: Copy of the Deed is required by the applicant and/or written permission of the land owner(s) to make such an application.

(b.) Applicant/Owner Information: Name, address and the phone number of the applicant and owner and the applicant's contact person for the project.

(c.) Site Plan: A site plan is required for all permits that are applied for, and must include the following:

(1.) A north arrow

(2.) Property description which includes a legal description of the property line (e.g. NW ¼, SE ¼ Sec 2, T39N, R79W), and the property acreage.

(3.) All structure locations showing setbacks, use, and means of access for the following structures:

(i.) Existing structures with in the property line.

(ii.) Existing structures outside the property line. All occupied and un-occupied structures within two hundred (200) feet of the property line.

Definitions

Decibel (db): The measurement of sound pressure relative to the logarithmic conversion of the sound pressure reference level often set as 0 db (A-weighted). In general, this means the quietest sound we can hear is near 0 db (A-weighted) and the loudest that we can hear without pain is near 120 db (A-weighted). Most sound is typical environment range from 30 to 100 db (A-weighted). Normal speech at three (3) feet averages about 65 db (A-weighted).

Well-designed braking system: The primary braking system, which uses a mechanical brake, pitch-control of the turbine blades, or stall-control to bring the turbine to a stop in such a way that stall-induced vibrations/noise are avoided.

Small wind energy system (SWES): A wind energy conversion system consisting of a wind turbine, tower, and associated control or conversion electronics, which has a rated capacity of not more that 10kw and which is intended to primarily reduce on-site consumption of utility power.

Adopted 10/2008

Revised and Adopted November 17, 2009

SECTION 18. FLOOD DAMAGE PREVENTION REGULATIONS

ARTICLE I

STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND METHODS

SECTION A. STATUTORY AUTHORIZATION

The Legislature of the State of Wyoming has in Wyoming Statutes Title 18, Article 2 (18-5-201 through 207) delegated the responsibility of local governmental units to adopt regulations designed to promote the public health, safety and welfare of its citizenry. Therefore, the Board of County Commissioners of Natrona County, Wyoming does ordain as follows:

SECTION B. FINDINGS OF FACT

(1) The flood hazard areas of Natrona County are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety and general welfare.

(2) These flood losses are created by the cumulative effect of obstructions in floodplains which cause an increase in flood heights and velocities, and by the occupancy of flood hazards areas by uses vulnerable to floods and hazardous to other lands because they are inadequately elevated, floodproofed or otherwise protected from flood damage.

SECTION C. STATEMENT OF PURPOSE

It is the purpose of this Resolution to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

1. Protect human life and health;
2. Minimize expenditure of public money for costly flood control projects;
3. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. Minimize prolonged business interruptions;
5. Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;

6. Help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize future flood blight areas; and

7. Insure that potential buyers are notified that property is in a flood area.

SECTION D. METHODS OF REDUCING FLOOD LOSSES

In order to accomplish its purposes, this Resolution uses the following methods:

1. Restrict or prohibit uses that are dangerous to health, safety or property in times of flood, or cause excessive increases in flood heights or velocities;

2. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;

3. Control the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of flood waters;

4. Control filling, grading, dredging and other development which may increase flood damage;

5. Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands.

ARTICLE II

DEFINITIONS

Unless specifically defined below, words or phrases used in this Resolution shall be interpreted to give them the meaning they have in common usage and to give this Resolution its most reasonable application.

ALLUVIAL FAN FLOODING - means flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high-velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.

APEX - means a point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

APPEAL – A request for a review of the County Development Department's interpretation of any provisions of this Resolution or a request for a variance.

AREA OF SHALLOW FLOODING - means a designated AO, AH, or VO zone on a community's Flood Insurance Rate Map (FIRM) with a one percent chance or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident.

Such flooding is characterized by ponding or sheet flow.

AREA OF SPECIAL FLOOD HAZARD - is the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. The area may be designated as Zone A on the Flood Hazard Boundary Map (FHBM). After detailed ratemaking has been completed in preparation for publication of the FIRM, Zone A usually is refined into

Zones A, AE, AH, AO, A1-99, VO, V1-30, VE or V.

BASE FLOOD - means the flood having a one percent chance of being equaled or exceeded in any given year.

BASEMENT - means any area of the building having its floor sub-grade (below ground level) on all sides.

CRITICAL FEATURE - means an integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.

DEVELOPMENT - means any man-made change in improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

ELEVATED BUILDING - means a non-basement building (i) built, in the case of a building in Zones A1-30, AE, A, A99, AO, AH, B, C, X, and D, to have the top of the elevated floor, or in the case of a building in Zones V1-30, VE, or V, to have the bottom of the lowest horizontal structure member of the elevated floor elevated above the ground level by means of pilings, columns (posts and piers), or shear walls parallel to the floor of the water and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In the case of Zones A1-30, AE, A, A99, AO, AH, B, C, X, and D, "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters. In the case of Zones V1-30, VE, or V, "elevated building" also includes a building otherwise meeting the definition of "elevated building," even though the lower area is enclosed by means of breakaway walls if the breakaway walls met the standards of Section 60.3(e)(5) of the National Flood Insurance Program regulations.

EXISTING CONSTRUCTION - means for the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or

before January 1, 1975, for FIRMs effective before that date. "Existing construction" may also be referred to as "existing structures."

EXISTING MANUFACTURED HOME PARK OR SUBDIVISION - means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION - means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

FLOOD OR FLOODING - means a general and temporary condition of partial or complete inundation of normally dry land areas from:

1. the overflow of inland or tidal waters.
2. the unusual and rapid accumulation or runoff of surface waters from any source.

FLOOD INSURANCE RATE MAP (FIRM) - means an official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY - is the official report provided by the Federal Emergency Management Agency. The report contains flood profiles, water surface elevation of the base flood, as well as the Flood Boundary-Floodway Map.

FLOODPLAIN OR FLOOD-PRONE AREA - means any land area susceptible to being inundated by water from any source (see definition of flooding).

FLOODPLAIN MANAGEMENT - means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

FLOODPLAIN MANAGEMENT REGULATIONS - means zoning Resolutions, subdivision regulations, building codes, health regulations, special purpose Resolutions (such as a floodplain Resolution, grading Resolution and erosion control Resolution) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

FLOOD PROTECTION SYSTEM - means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the areas within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

FLOOD PROOFING - means any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

FLOODWAY (REGULATORY FLOODWAY) - means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

FUNCTIONALLY DEPENDENT USE - means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

HIGHEST ADJACENT GRADE - means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

HISTORIC STRUCTURE - means any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by The Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
4. Individually listed on a local inventory or historic places in communities with historic preservation programs that have been certified either:
 - a) by an approved state program as determined by the Secretary of the Interior
 - or;
 - b) directly by the Secretary of the Interior in states without approved programs.

LEVEE - means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

LEVEE SYSTEM - means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

LOWEST FLOOR - means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking or vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of Section 60.3 of the National Flood insurance Program regulations.

MANUFACTURED HOME - means a structure transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle". However, this term also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days.

MANUFACTURED HOME PARK OR SUBDIVISION - means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

MEAN SEA LEVEL - means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

NEW CONSTRUCTION - means, for the purpose of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

NEW MANUFACTURED HOME PARK OR SUBDIVISION - means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

RECREATIONAL VEHICLE - means a vehicle which is:

1. built on a single chassis;

2. 400 square feet or less when measured at the largest horizontal projections;
 3. designed to be self-propelled or permanently towable by a light duty truck;
- and
4. designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use

START OF CONSTRUCTION - (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348)), includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

STRUCTURE - means a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

SUBSTANTIAL DAMAGE - means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT - means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before "start of construction" of the improvement. This includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a structure to correct existing violations of state or Local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary conditions; or
2. Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as an "historic structure."

VARIANCE - is a grant of relief to a person from the requirement of this Resolution when specific enforcement would result in unnecessary hardship. A variance, therefore, permits construction or development in a manner otherwise prohibited by this Resolution. (For full requirements see Section 60.6 of the National Flood Insurance Program regulations.)

VIOLATION - means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in Section 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

WATER SURFACE ELEVATION - means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

ARTICLE III

GENERAL PROVISIONS

SECTION A. LANDS TO WHICH THIS RESOLUTION APPLIES

The resolution shall apply to all areas of special flood hazard within the jurisdiction of Natrona County, Wyoming.

SECTION B. BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD

The areas of special flood hazard identified by the Federal Emergency Management Agency in a scientific and engineering report entitled, "The Flood Insurance Study for Natrona County, Wyoming, a preliminary draft of which is incorporated herein by reference and available at the Natrona County Development Department, dated July 16th, 2004, with accompanying Flood Insurance Rate Maps and Flood Boundary-Floodway Maps (FIRM and FBFM) and any revisions thereto are hereby adopted by reference and declared to be a part of this resolution.

SECTION C. ESTABLISHMENT OF DEVELOPMENT PERMIT

A Floodplain Development Permit shall be required to ensure conformance with the provisions of this resolution. County regulations may also require the issuance of a zoning certificate and a building permit.

SECTION D. COMPLIANCE

No structure or land shall hereafter be located, altered, or have its use changed without full compliance with the terms of this Resolution and other applicable regulations.

SECTION E. ABROGATION AND GREATER RESTRICTIONS

This Resolution is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this Resolution and another Resolution, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

SECTION F. INTERPRETATION

In the interpretation and application of this Resolution, all provisions shall be:

1. considered as minimum requirements;
2. liberally construed in favor of the governing body; and
3. deemed neither to limit nor repeal any other powers granted under State statutes.

SECTION G. WARNING AND DISCLAIMER OR LIABILITY

The degree of flood protection required by this Resolution is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions greater floods can and will occur and flood heights may be increased by man-made or natural causes. This Resolution does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This Resolution shall not create liability on the part of the community or any official or employee thereof for any flood damages that result from reliance on this Resolution or any administrative decision lawfully made thereunder.

ARTICLE IV

ADMINISTRATION

SECTION A. DESIGNATION OF THE FLOODPLAIN ADMINISTRATOR

The Natrona County Development Director is hereby appointed the Floodplain Administrator to administer and implement the provisions of this Resolution and other appropriate sections of 44 CFR (National Flood Insurance Program Regulations) pertaining to floodplain management.

SECTION B. DUTIES & RESPONSIBILITIES OF THE FLOODPLAIN ADMINISTRATOR

Duties and responsibilities of the Floodplain Administrator shall include, but not be limited to, the following:

1. Maintain and hold open for public inspection all records pertaining to the provisions of this Resolution.
2. Review permit application to determine whether proposed building site, including the placement of manufactured homes, will be reasonably safe from flooding.
3. Review, approve or deny all applications for development permits required by adoption of this Resolution.
4. Review permits for proposed development to assure that all necessary permits have been obtained from those Federal, State or local governmental agencies (including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334) from which prior approval is required.
5. Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the Floodplain Administrator shall make the necessary interpretation.
6. Notify, in riverine situations, adjacent communities and the State Coordinating Agency which is the Wyoming Office of Homeland Security, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
7. Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained.
8. When base flood elevation data has not been provided in accordance with Article 3, Section B, the Floodplain Administrator shall obtain, review and reasonably utilize any base flood elevation data and floodway data available from a Federal, State or other source, in order to administer the provisions of Article 5.
9. When a regulatory floodway has not been designated, the Floodplain Administrator must require that no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

10. Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Program regulations, a community may approve certain development in Zones A1-30, AE, AH, on the community's FIRM which increases the water surface elevation of the base flood by more than one foot, provided that the community first applies for a conditional FIRM revision through FEMA (Conditional Letter of Map Revision).

SECTION C. PERMIT PROCEDURES

Application for a Development Permit shall be presented to the Floodplain Administrator on forms furnished by him/her and may include, but not be limited to, plans in duplicate drawn to scale showing the location, dimensions, and elevation of proposed landscape alterations, existing and proposed structures, including the placement of manufactured homes, and the location of the foregoing in relation to areas of special flood hazard. Additionally, the following information is required:

1. Elevation (in relation to mean sea level), of the lowest floor (including basement) of all new and substantially improved structures;
2. Elevation in relation to mean sea level to which any nonresidential structure shall be floodproofed;
3. A certificate from a registered professional engineer or architect that the nonresidential floodproofed structure shall meet the floodproofing criteria of Article 5, Section B(2);
4. Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development.
5. Maintain a record of all such information in accordance with Article 4, Section (B)(1).

Approval or denial of a Development Permit by the Floodplain Administrator shall be based on all of the provisions of this Resolution and the following relevant factors:

1. The danger to life and property due to flooding or erosion damage;
2. The susceptibility of the proposed facility and its contents to flood damage and the Effect of such damage on the individual owner;
3. The danger that materials may be swept onto other lands to the injury of others;
4. The compatibility of the proposed use with existing and anticipated development;
5. The safety of access to the property in times of flood for ordinary and emergency vehicles;

6. The costs of providing governmental services during and after flood conditions including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical and water systems;

7. The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site;

8. The necessity to the facility of a waterfront location, where applicable;

9. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;

10. The relationship of the proposed use to the comprehensive plan for that area.

SECTION D. APPEAL AND VARIANCE PROCEDURES

1. Any person aggrieved by any written determination, interpretation, decision, or similar action taken by the County Development Department under the provisions of these Regulations may appeal such action to the County Planning Commission. Appeals shall be in writing on a form provided by the County Development Department, and shall state the basis of the appeal. Appeals shall be filed with the County Development Department no later than the tenth (10th) calendar day following the date of the action from which an appeal is taken.

2. The Planning Commission shall hear the request and forward its recommendation to the Board of County Commissioners not later than its second regular meeting following the date on which the appeal was filed in the County Development office.

3. The Board shall take action on the appeal or variance not later than its second regular meeting following the date on which the appeal was filed with the Planning Commission.

4. The Board of County Commissioners shall hear and render judgment on an appeal only when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the enforcement or administration of this Resolution.

5. Any person or persons aggrieved by the decision of the Board may appeal such decision in the courts of competent jurisdiction.

6. The Floodplain Administrator shall maintain a record of all actions involving an appeal and shall report variances to the Federal Emergency Management Agency upon request.

7. Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this Resolution.

8. Variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in Section C(2) of this Article have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.

9. Upon consideration of the factors noted above and the intent of this Resolution, the Board may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this Resolution (Article 1, Section C).

10. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

11. Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

12. Prerequisites for granting variances:

a) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

b) Variances shall only be issued upon:

1) showing a good and sufficient cause;

2) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and

3) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or Resolutions.

c) Any application to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

13. Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that:

- a) the criteria outlined in Article 4, Section D(1)-(9) are met, and
- b) the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

ARTICLE V

PROVISIONS FOR FLOOD HAZARD REDUCTION

SECTION A. GENERAL STANDARDS

In all areas of special flood hazards the following provisions are required for all new construction and substantial improvements:

1. All new construction or substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
2. All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;
3. All new construction or substantial improvements shall be constructed with materials resistant to flood damage;
4. All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
5. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
6. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharge from the systems into flood waters; and,
7. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

SECTION B. SPECIFIC STANDARDS

In all areas of special flood hazards where base flood elevation data has been provided as set forth in (i) Article 3, Section B, (ii) Article 4, Section B(8), or (iii) Article 5, Section C(3), the following provisions are required:

1. Residential Construction - new construction and substantial improvement of any residential structure shall have the lowest floor (including basement), elevated to or above the base flood elevation. A registered professional engineer, architect, or land surveyor shall submit a certification to the Floodplain Administrator that the standard of this subsection as proposed in Article 4, Section C(1)a., is satisfied.

2. Nonresidential Construction - new construction and substantial improvements of any commercial, industrial or other nonresidential structure shall either have the lowest floor (including basement) elevated to or above the base flood level or together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification which includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained by the Floodplain Administrator.

3. Enclosures - new construction and substantial improvements, with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:

a) A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.

b) The bottom of all openings shall be no higher than one foot above grade.

c) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

4. Manufactured Homes –

a) Require that all manufactured homes to be placed within Zone A on a community's FHBM or FIRM shall be installed using methods and practices which

minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.

b) Require that manufactured homes that are placed or substantially improved within Zones A1-30, AH, and AE on the community's FIRM on sites (i) outside of a manufactured home park or subdivision, (ii) in a new manufactured home park or subdivision, (iii) in an expansion to an existing manufactured home park or subdivision, or (iv) in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to or above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

c) Require that manufactured homes be placed or substantially improved on sites in an existing manufactured home park or subdivision with Zones A1-30, AH and AE on the community's FIRM that are not subject to the provisions of paragraph (4) of this section be elevated so that either:

1) the lowest floor of the manufactured home is at or above the base flood elevation, or

2) the manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

5. Recreational Vehicles - Require that recreational vehicles placed on sites within Zones A1-30, AH, and AE on the community's FIRM either:

a) be on the site for fewer than 180 consecutive days,

b) be fully licensed and ready for highway use, or

c) meet the permit requirements of Article 4, Section C(1), and the elevation and anchoring requirements for "manufactured homes" in paragraph (4) of this section. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

SECTION C. STANDARDS FOR SUBDIVISION PROPOSALS

1. All subdivision proposals including the placement of manufactured home parks and subdivisions shall be consistent with Article 1, Sections B, C, and D of this Resolution.

2. All proposals for the development of subdivisions including the placement of manufactured home parks and subdivisions shall meet Development Permit requirements of Article 3, Section C; Article 4, Section C; and the provisions of Article 5 of this Resolution.

3. Base flood elevation data shall be generated for subdivision proposals and other proposed development including the placement of manufactured home parks and subdivisions which is greater than 50 lots or 5 acres, whichever is lesser, if not otherwise provided pursuant to Article 3, Section B or Article 4, Section B (8) of this Resolution.

4. All subdivision proposals including the placement of manufactured home parks and subdivisions shall have adequate drainage provided to reduce exposure to flood hazards.

5. All subdivision proposals including the placement of manufactured home parks and subdivisions shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.

SECTION D. STANDARDS FOR AREAS OF SHALLOW FLOODING (AO/AH ZONES)

Located within the areas of special flood hazard established in Article 3, Section B, are areas designated as shallow flooding. These areas have special flood hazards associated with base flood depths of 1 to 3 feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow; therefore, the following provisions apply:

1. All new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least two feet if no depth number is specified).

2. All new construction and substantial improvements of non-residential structures;

a) have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least two feet if no depth number is specified), or;

b) together with attendant utility and sanitary facilities be designed so that below the base flood level the structure is watertight with walls substantially impermeable to

the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads of effects of buoyancy.

3. A registered professional engineer or architect shall submit a certification to the Floodplain Administrator that the standards of this Section, as proposed in Article 4, Section C (1)a., are satisfied.

4. Require within Zones AH or AO adequate drainage paths around structures on slopes, to guide flood waters around and away from proposed structures.

SECTION E. FLOODWAYS

Floodways - located within areas of special flood hazard established in Article 3, Section B, are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles and erosion potential, the following provisions shall apply:

1. Encroachments are prohibited, including fill, new construction, substantial improvements and other development within the adopted regulatory floodway *unless* it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.

2. If Article 5, Section E (1) above is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Article 5.

3. Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Regulations, a community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that the community first applies for a conditional FIRM and floodway revision through FEMA.

SECTION F. PENALTY

Any person violating any provision of this Resolution shall be guilty of a misdemeanor and upon conviction may be fined up to \$750 for each offense according to W.S. 18-5-206. Each day of continuation of a violation is a separate offense according to W.S. 18-5-204.

SECTION G. AMENDMENTS

The Natrona County Board of Commissioners may amend these regulations from time to time as necessary and appropriate. Any such amendment shall be proposed by or submitted to the Natrona County Planning Commission for approval, disapproval or

recommendation. Any amendment of these regulations must be accomplished by a majority vote of the Planning Commission and the Board of County Commissioners. Before final adoption of any amendment, the Planning Commission and the Board of County Commissioners shall hold a public hearing pursuant to applicable law.

Adopted: January 18, 2011

Section 19. Collector Car Storage

a. Introduction and Definitions.

Accumulations of up to four (4) collector cars are allowed on properties in RAM, UA, LI and HI zoning districts.

Definitions:

- (1) Collector cars are defined as any inoperable or unlicensed vehicle, which was previously licensed for highway use, including parts cars, having historical or economic appeal to the individual accumulating the cars and which are stored and maintained in a manner which emphasizes preservation of the vehicles and prevents or minimizes their physical deterioration.
- (2) Collector Car Storage is defined as a land use that provides for an area for non-commercial dismantling and storage of five (5) or more collector cars in the RAM, UA, LI and HI zoning districts, or one (1) or more collector cars in the RR-1, RR-2, SR-1, SR-2 and UMR zoning districts.
- (3) An inoperable vehicle is defined as any motor vehicle which cannot be moved under its own power, or cannot be operated lawfully on a public street or highway due to lack of an engine, transmission, wheels, tires or it not currently registered and displaying current license or permits, or when such vehicle is totally or partially suspended above the ground by jack, block or any other lifting device.
- (4) Screening or Screened is defined as the method by which the view from one property to another property is substantially shielded, concealed or hidden. Screening techniques include solid fences, walls, hedges, berms or other approved features.
- (5) View means within normal visual range by a person on a public street, road, or adjacent property.

- b. Collector Car Storage is a limited conditional use which will not run with the land and will not be transferable.

Individuals possessing an accumulation greater than four (4) collector cars in RAM, UA, LI or HI or possessing one (1) or more collector cars in RR-1, RR-2, SR-1, SR-2 or UMR at the time this new regulation is adopted, must apply to the County for a Collector Car Storage conditional use permit.

- c. Applications for Collector Car Storage conditional use permits will only be

considered for properties which meet the following conditions:

- (1) No zoning violations unrelated to collector cars may exist on the property for which a Collector Car Storage conditional use permit application has been submitted.
 - (2) A screening plan for the accumulation has been submitted to and approved by the Development Department.
- d. The Commission and the Board shall act upon applications for Collector Car Storage conditional use permits in accordance with the provisions set forth in Chapter XI, Section 2, Paragraph d of the Zoning Resolution of Natrona County, Wyoming. The Commission and the Board shall also require the following additional showings:
- (1) Applicants must demonstrate that an approved screening plan will be implemented on the property to be covered by the Collector Car Storage conditional use permit within 180 days and that screening of collector car accumulations from public roadways within $\frac{1}{4}$ mile of the subject property and adjacent properties will be achieved within a reasonable time.
 - (2) For all applications, applicants must demonstrate that there is sufficient acreage on the property to be covered by the Collector Car Storage conditional use permit to accommodate the proposed accumulation of collector cars.
- e. Upon approval of a Collector Car Storage conditional use permit and at the hearing, the Board of County Commissioners shall determine the maximum number of collector cars that may be stored on the property covered by the conditional use permit and set a time for the approved screening plan to be fully achieved – defined as screened from public roadways within $\frac{1}{4}$ mile of the subject property and all adjacent properties.
- f. The Collector Car Storage conditional use permit shall continue in effect for a term of years, being a series of successive one-year periods with automatic renewal, provided that the property covered by a Collector Car Storage conditional use permit complies with the following requirements:
- (1) No zoning violations may appear on the subject property. Natrona County may, upon prior notice to landowners and in the presence of the landowners and not frequently than twice annually, enter the landowner's premises to ensure compliance with these collector car storage requirements.
 - (2) Collector car accumulations shall be arranged in even rows, with at

least three (3) feet of space between cars to permit mowing of weeds. The alignment of rows must allow space for a road not less than twenty (20) feet wide between rows in order to make access by emergency vehicles possible.

- (3) All collector cars without tires or wheels shall be mounted on blocks, at least six (6) inches above ground, to minimize deterioration and vermin infestation.
 - (4) The number of collector cars stored on the property shall not exceed the maximum number of collector cars allowed for storage determined by the Board of County Commissioners at the time the Collector Car Storage conditional use permit was granted.
 - (5) Weed control and vermin control in collector car accumulation area shall be maintained by landowners.
 - (6) Screening shall be maintained by the conditional use permit holder throughout the term of the conditional use permit.
- g. The Natrona County Development Department shall notify in writing any Collector Car Storage conditional use permit holder of any failure to comply with the requirements set forth in Paragraph f above. Permit holders shall have 14 days to bring the property into compliance with all conditions set forth in Paragraph f above. If the property is not brought into compliance within the 14 day period, the Development Department shall notify the permit holder that Collector Car Storage conditional use permit is revoked effective immediately unless the holder files an appeal with the Commission within 10 days of receipt of said notice. Revocations may be appealed to the Commission in accordance with the provisions of Chapter III, Section 6 of the Zoning Resolution of Natrona County, Wyoming.
- h. In the event the property covered by a Collector Car Storage conditional use permit is sold, leased or otherwise alienated or vacated by the conditional use permit holder or upon death of the conditional use permit holder, the conditional use permit shall automatically terminate.

Adopted 08/02/2011

CHAPTER VIII METEOROLOGICAL TOWER AND WIND ENERGY CONVERSION SYSTEM REGULATIONS

Section 1. Introduction

a. Title

These regulations shall be known, cited and referred to as the Meteorological Tower and Wind Energy Conversion System Regulations in Chapter VIII of the *Zoning Resolution of Natrona County, Wyoming*.

b. Purpose

These Regulations are adopted for the following purposes:

- (1) To assure that large-scale development and production of wind-generated electricity in Natrona County is consistent with the intent and purpose of the *Zoning Resolution of Natrona County*,
- (2) To identify and protect different and competing property rights and uses; and
- (3) To promote the supply of wind energy and energy production from renewable energy sources.

c. Authority

These Regulations are adopted under the authority granted by the following Wyoming Statutes:

- (1) Title 18 Counties, Chapter 5 Planning and Zoning, Article 1 County Planning Commission, W.S. §18-5-101 et. seq.
- (2) Title 18 Counties, Chapter 5 Planning and Zoning, Article 2 Planning and Zoning Commission, W.S. §18-5-201 et. seq.
- (3) Title 9 Administration of the Government, Chapter 8 Land Use Planning, Article 1 General Provisions, W.S. §9-8-101 et. seq.

d. Severability

All parts and provisions of these regulations shall be severable. If any clause, section, subsection, or provision of these regulations shall for any reason be adjudged by any court of competent jurisdiction to be invalid, illegal or unconstitutional, such judgment shall be confined in its operation to the clause, section, subsection, or

provision of these regulations directly involved in the controversy in which such judgment shall have been rendered, and shall not affect any other clause, section, subsection, or provision of these regulations or the application thereof.

Section 2. Definitions

a. "Applicant" shall mean the entity or person who submits to the County, pursuant to the *Subdivision Regulations of Natrona County, Wyoming, Chapter 2, Section 3* and the *Zoning Resolution of Natrona County, Wyoming, Chapter XI, Section 3* an application for a permit related to a MET Tower or WECS Project.

b. "Board" shall mean the Board of County Commissioners of Natrona County, Wyoming.

c. "Conditional Use Permit" shall mean the permit defined in Chapter XI, Section 2 of the *Zoning Resolution of Natrona County, Wyoming*, and as required in these regulations.

d. "County" shall mean Natrona County, Wyoming.

e. "Decommissioning Plan" shall mean a plan included in a Conditional Use Permit and approved by the Board that contains requirements related to the decommissioning and removal of all facilities and infrastructure associated with a MET Tower or WECS Project and reclamation of disturbed lands.

f. "Department" shall mean the Development Department of Natrona County, Wyoming.

g. "Financial Assurance" shall mean cash payment, certificates of deposit, annuities or good and sufficient surety bonds, running to the benefit of the County and conditioned upon and assuring performance of all requirements of a Conditional Use Permit for a WECS Project or MET Tower.

h. "Meteorological Tower" shall mean a MET Tower.

i. "MET Tower" shall mean any tower together with associated instrumentation or devices used for assessment of wind energy.

j. "MET Tower Site" shall mean a contiguous parcel of land, delineated and described by survey, on which all facilities, devices and infrastructure associated with a MET Tower are situated.

k. "Operator" shall mean the persons or entities responsible for the day-to-day operation and maintenance of any WECS Project or MET Tower, including any third party subcontractors.

l. "Owner" shall mean the persons or entities with an equity interest in a MET Tower, MET Tower Site, WECS Project, or WECS Project Site, including heirs, successors, and assigns and excluding unaffiliated persons who own no interest in the MET Tower or WECS Project but whose land is leased to the Owner or Operator or covered by a waiver or other land use agreement related to the MET Tower Site or WECS Project Site.

m. "Primary Structure(s)" shall mean and include, but is not necessarily limited to, structures such as residences, quonset huts, barns, commercial buildings, hospitals, day care facilities and excluding structures such as storage sheds and loafing sheds.

n. "Professional Engineer" shall mean a qualified individual who is a licensed professional engineer in Wyoming.

o. "PSC" shall mean the Public Service Commission of Wyoming.

p. "Public Utility" shall mean a public utility as defined in W.S. §37-1-101(a)(vi).

q. "Tower Height" shall mean the distance from the highest point of a vertical rotor blade on a WECS Project tower to the top surface of the foundation.

r. "Wind Energy Conversion System" shall mean a WECS Project.

s. "WECS Project" shall mean all necessary devices that together convert wind energy into electricity, including but not limited to any wind energy conversion system project, project towers, project substations, rotors, nacelles, generators, electrical components, foundations, transformers, electrical cables, transmission poles and lines, roads, maintenance buildings, and all other associated or related support facilities.

t. "WECS Project Site" shall mean a contiguous parcel of land, delineated and described by survey, on which all facilities, devices and infrastructure associated with a WECS Project are situated.

Section 3. Applicability

a. These regulations apply to:

(1) All MET Towers and MET Tower Sites;

(2) All WECS Projects and WECS Project Sites having an aggregate generating capacity greater than 10 kW, or that may be used to provide electricity to power purchasers, consumers, or at a location other than the WECS Project Site; and

(3) All lands within the unincorporated portions of the County.

b. These regulations shall not apply to WECS Projects having an aggregate generating capacity of 10 kW or less and that will be used to provide electricity only on the Owner's property.

Section 4. Prohibition

No MET Tower or WECS Project governed by Section 3 of these regulations shall be located, erected, used, occupied, constructed, reconstructed, enlarged, changed, maintained or altered except in conformity with these regulations. The approval of a Conditional Use Permit for a MET Tower or WECS Project shall not satisfy or waive any requirements to obtain other certificates, permits and approvals under the *Zoning Resolution of Natrona County, Wyoming*.

Section 5. Enforcement

These regulations shall be enforced by the Department, which shall have the authority to grant all required permits, make inspections and make all decisions reasonably necessary to properly carry out the provisions hereof. No mistake, oversight or dereliction on the part of any official or employee of the County shall legalize, authorize or excuse the violation of any portion of these regulations.

Section 6. Violations

No person shall locate, erect, use, occupy, construct, reconstruct, enlarge, change, maintain or alter any MET Tower, WECS Project, or related structure or building in violation of the provisions of these regulations. If the Department finds a permit related to a MET Tower or WECS Project is being or has been violated or is in default, the Department may enforce the terms and conditions of the permit, and pursue all other remedies available under the *Zoning Resolution of Natrona County, Wyoming* and Wyoming law. If the Department finds persons or entities to be in violation of any provision of these regulations, the Department shall give written notice to the person or entity of the nature of the violation and, if the violation is not remedied or corrected within ten (10) business days, the Department may pursue all remedies available under the *Zoning Resolution of Natrona County, Wyoming* and Wyoming law, and may refer the matter to the County Attorney for legal action.

Section 7. Zoning District Restrictions

a. MET Towers and WECS Projects shall not be allowed in any zoning district other than Ranching, Agricultural and Mining (RAM), Urban Agricultural (UA), and Use Control Area (UCA).

b. MET Towers and WECS Projects shall be a conditional use in RAM, UA, and UCA zoning districts.

c. Prior to the commencement of construction related to a MET Tower or WECS Project, a Conditional Use Permit shall be approved by the Board.

Section 8. MET Tower Conditional Use Permit

a. Pursuant to the *2000 Zoning Resolution of Natrona County, Wyoming* as amended, an Applicant for a MET Tower Conditional Use Permit shall participate in a pre-application conference with Department representatives.

b. An application for a MET Tower Conditional Use Permit shall contain:

(1) The name, address, and telephone number of each Applicant, Owner and Operator.

(2) A description of the business structure of each Applicant, Owner, and Operator.

(3) The name, address, and telephone number of all affiliates, parents, or subsidiaries of each Applicant, Owner and Operator.

(4) The name, address, and telephone number of each partner, joint venture entity, or agent associated with the MET Tower.

(5) The name, address and telephone number of each person or entity of public record who owns an interest in the surface estate, including lessees, of lands within the boundary of a MET Tower Site.

(6) A MET Tower site plan drawn at a scale acceptable to the Department and containing the following:

(i.) The perimeter and dimensions of the MET Tower Site;

(ii.) The names and locations of all streets, roads or highways on or contiguous to the MET Tower Site;

(iii.) The locations of all duly recorded easements or rights-of-way on the MET Tower Site;

(iv.) The names and locations of all rivers, streams or waterways on or contiguous to the MET Tower Site;

(v.) The use, location and dimension of all structures on the MET Tower Site (include location of all proposed structures, distance to the MET Tower Site boundary line, and distance between MET Towers and other structures);

(vi.) A scale;

(vii.) A north arrow; and

(viii.) GPS coordinates.

(7) Compliance with each of the showings required by Chapter XI, Section 2d at page 107 of the *2000 Zoning Resolution of Natrona County, Wyoming*.

(8) Access

(i.) Applicant(s) shall furnish a sworn affidavit evidencing acquisition of rights-of-way or other access agreements providing rights of ingress and egress across any private, state or federal lands between a MET Tower Site and public roads. For BLM or State right-of-way grants, Applicant(s) may furnish a copy of the signed BLM or State Right-of-Way Grant application together with evidence that applicable fees have been tendered to the BLM or State.

(ii.) The Owner(s) or Operator(s) shall grant to the County access to the MET Tower Site at reasonable times and upon request to inspect and, if necessary, to perform decommissioning of a MET Tower and reclamation of disturbed land.

c. Approval of a complete MET Tower Conditional Use Permit application shall be contingent upon demonstration of the following:

(1) Notice to Ownership and Control of Surface Estate

(i.) That the Applicant(s) give written notice to the persons or entities of public record owning an interest in the surface estate of lands adjacent to the MET Tower Site. Such notice shall include the name and address of the Applicant(s) and the Department and a copy of the MET Tower site plan. The Applicant(s) shall not be required to give notice to persons or entities that have agreed in writing to the construction, operation, maintenance, and removal of the MET Tower.

(ii.) All surface lands within a MET Tower Site shall be owned or controlled by the Owner(s) or Operator(s). For this purpose, land shall be deemed controlled by the Owner(s) or Operator(s) if it is subject to a recorded lease, waiver, or other written agreement with the landowner under which the landowner has consented to the construction, operation, maintenance, and removal of the MET Tower. Nothing in this provision shall be construed to prevent the Board, upon notice and hearing and for good cause shown, from conditionally approving the MET Tower Site if the Owner(s) or Operator(s) has applied for a lease or easement from a state or federal agency.

(iii.) The Applicant(s) shall submit to the Department proof that the aforesaid written notice was given or that Applicant(s) has a recorded lease, waiver or other written agreement with the surface owner.

(2) Design Criteria

(i.) Design, construction, operation, maintenance, and decommissioning of all MET Tower and infrastructure in compliance with County, state and federal laws and regulations. This shall include compliance with all applicable industry standards, including but not necessarily limited to the American National Standards Institute and the National Electrical Commission.

(ii.) Certification by a Professional Engineer prior to construction that the design of the foundation and tower is within accepted professional standards.

(iii.) That a MET Tower be painted in accordance with applicable FAA requirements. All MET Towers shall comply with the provisions of W. S. 10-4-305 captioned "Marking obstructions".

(iv.) That no signage or logos of any type shall be installed on a MET Tower except for signs related to safety, warning, emergency contact, and manufacturer's name or logo. Nothing in this provision shall be construed to prevent the Board, upon notice and hearing and for good cause shown, from approving other signage on a MET Tower.

(v.) Red navigation marker balls or other acceptable marker devices such as flags or reflectors shall be installed and maintained on guy wires supporting MET Towers.

(3) Aviation and Emergency Services Notification

(i.) The Applicant shall submit to the Department proof of delivery of copies of the proposed MET Tower site plan to providers of emergency services in the County.

(ii.) The Applicant shall submit to the Department proof of delivery of the proposed MET Tower site plan to public and commercial aviation service providers in the County. The Department will provide the Applicant with the list of public and commercial aviation service providers.

(4) Noxious and Invasive Weeds

(i.) Control of all noxious and invasive weeds and plant species within the disturbed surface land of the MET Tower Site until decommissioning is complete and the County has released any financial assurance for the MET Tower.

(5) Decommissioning and Removal

(ii.) For MET Tower and MET Tower Sites which are not owned or operated by a Public Utility subject to decommissioning requirements of the PSC, removal of a MET Tower and commencement of reclamation of disturbed land after the Conditional Use Permit is issued; provided that, the Applicant(s) shall give thirty (30)

days written notice to the Department prior to removal of the MET Tower. Nothing in this provision shall be construed to prevent the Board, upon notice and hearing and for good cause shown, from extending any applicable deadline for removal of a MET Tower.

(iii.) That the Operator(s) shall give written notice to the Department within ten (10) days after operations cease.

(iv.) For the removal of structures, infrastructure, and debris, including any infrastructure or equipment installed up to two (2) feet below the ground surface.

(v.) For reclamation of the disturbed surface lands, including recontouring and revegetation. On private land, the surface owner shall determine the reclamation requirements.

(6) Met Tower Setbacks

(i.) MET Tower(s) shall be set back from the boundary of a MET Tower Site a distance not less than 1.10 times the applicable Tower Height. Nothing in this provision shall be construed to prevent the Board, upon notice and hearing and for good cause shown, from approving a MET Tower Site with MET Tower setbacks which are other than 1.10 times the applicable Tower Height from the MET Tower Site boundary.

(ii.) A minimum distance of 1.10 times the Tower Height of a MET Tower between the MET Tower and any other Primary Structure(s) within the MET Tower Site, right-of-way boundaries of third party transmission lines, communication towers and roads.

(7) Financial Assurance and Insurance

(i.) For MET Tower and MET Tower Sites which are not owned or operated by a Public Utility subject to decommissioning requirements of the PSC, the Owner(s), and its heirs, successors or assigns, shall provide Financial Assurance in the form of a surety bond in the amount of one thousand dollars (\$1,000.00) per MET Tower and under such terms as the Board deems acceptable, to cover the costs of decommissioning and removal of a MET Tower, reclamation of disturbed land, and repair of public roads. The bond shall remain in full force and effect until the WECS Project or MET Tower is fully decommissioned and all disturbed land has been reclaimed or the bond has been released by the Board, whichever first occurs. Nothing shall prevent the Board, upon notice and hearing and for good cause shown, from accepting other forms of financial assurance in lieu of a surety bond.

(ii.) Maintenance of general liability insurance coverage for all activities associated with a MET Tower and for a MET Tower Site in an amount not less

than one million dollars (\$1,000,000.00) per occurrence and with terms and conditions acceptable to the Board and evidenced by a certificate of insurance.

(8) Heirs, Successors, and Assigns

(ii.) That all terms and conditions of the Conditional Use Permit are binding upon the heirs, successors and assigns of the Applicant(s), Owner(s), and Operator(s) of a MET Tower.

(iii.) The Owner(s) shall give prior written notice to the Department of the Owner's intent to assign or convey an interest in a MET Tower or MET Tower Site, or any part thereof. The Owner's heirs, successors or assigns shall assume in writing all of the duties and covenants of Applicant(s), Owner(s), and Operator(s) under the MET Tower Conditional Use Permit and these regulations.

(9) Compliance with Additional Rules and Regulations

(ii.) All applicable FAA laws and regulations;

(iii.) All FCC laws and regulations;

(iv.) All provisions of W. S. §10-4-305;

(v.) All provisions of W. S. §35-10-401; and

(vi.) All Natrona County, state, and federal laws and regulations.

d. Conformance with the Conditional Use Permit

(1) Notice of Commencement of Operations

(i.) The Applicant(s), Owner(s) or Operator(s) shall give written notice to the Department when construction is completed and operations have commenced.

(2) MET Tower Removals, Relocations and MET Tower Site Expansion

(ii.) Applicant(s) shall provide the Department with thirty (30) days prior written notice of removal of a MET Tower from the MET Tower Site. In the event Applicant(s) desire to relocate a MET Tower(s) within the MET Tower Site, Applicant(s) shall promptly furnish written notice, including GPS coordinates for the new MET Tower location, to the Department and shall obtain an approved Building Permit prior to MET Tower relocation.

(iii.) Notice of planned expansion of a MET Tower Site shall be submitted to the Department in writing. MET Tower Site expansion(s) shall require a completed and approved Conditional Use Permit application before any expansion is undertaken.

(3) Conformance with the Conditional Use Permits for MET Towers shall be contingent upon compliance with all provisions of subsection 8c hereof.

Section 9. WECS Project Conditional Use Permit

a. Pursuant to the *2000 Zoning Resolution of Natrona County, Wyoming* as amended, an Applicant for a WECS Project Conditional Use Permit shall participate in a preapplication conference with Department representatives.

b. An application for a WECS Project Conditional Use Permit shall contain:

(1.) The name, address and telephone number of each Applicant, Owner, and Operator.

(2.) A description of the business structure of each Applicant, Owner, and Operator.

(3.) The name, address, and telephone number of all affiliates, parents, or subsidiaries of each Applicant, Owner, and Operator.

(4.) The name, address, and telephone number of each partner, joint venture entity, or agent associated with the WECS Project.

(5.) The name, address, and telephone number of each person or entity of public record who owns an interest in the surface estate of lands within the boundary of the WECS Project Site.

(6.) The name, address, and telephone number of each person or entity of public record who owns an interest in the surface estate of lands adjacent to WECS Project Site boundaries.

(7.) A preliminary site plan for the WECS Project drawn at a scale acceptable to the Department and containing the following:

(i.) The perimeter and dimensions of the WECS Project Site;

(ii.) The proposed locations of foundations;

(iii.) The proposed locations of all structures and buildings;

(iv.) The proposed locations of all substations, electric cables, and transmission poles and lines;

(v.) The location and names of public access roads and turnout locations;

(vi.) The names and locations of all streets, roads or highways on or contiguous to the WECS Project Site;

(vii.) The locations of all duly recorded easements or rights-of-way on the WECS Project Site;

(viii.) The names and locations of all rivers, streams or waterways on or contiguous to the WECS Project Site;

(ix.) The planned location(s) of all proposed project structures and buildings together with use descriptions and dimensions of all structures and buildings on the WECS Project Site, distances to the nearest WECS Project Site boundary line, and distances between project towers and other structures;

(x.) A scale;

(xi.) A north arrow; and

(xii.) GPS coordinates for all proposed and existing WECS towers, buildings, and other facilities.

(8) A preliminary WECS Project summary including, to the extent available:

(i.) The nominal generating capacity of each tower;

(ii.) The names of potential equipment manufacturer(s);

(iii.) The maximum number of towers;

(iv.) The Tower Height of each tower;

(v.) The maximum diameter of the rotors; and

(vi.) A vicinity map of the proposed location of the WECS Project Site.

(9) A final WECS Project summary including “As Built” specifications shall be submitted upon completion of construction.

(10) Compliance with each of the showings required by Chapter XI, Section 2d at page 107 of the *2000 Zoning Resolution of Natrona County, Wyoming*.

(11) Access

i. Applicant(s) shall furnish a sworn affidavit evidencing acquisition of rights-of-way or other access agreements providing rights of ingress and egress across any private, state or federal lands between a WECS Project Site and public roads. For BLM or State right-of-way grants, Applicant(s) may furnish a copy of the signed BLM or State Right-of-Way Grant application together with evidence that applicable fees have been tendered to the BLM or State.

ii. The Owner(s) or Operator(s) shall grant to the County access to the WECS Project Site at all reasonable times and with reasonable notice to conduct inspections related to compliance with the Conditional Use Permit.

c. Approval of a complete WECS Project Conditional Use Permit application shall be contingent upon demonstration of the following:

(1) Notice to Ownership and Control of Surface Estate

i. That the Applicant(s) give written notice to the persons or entities of public record owning an interest in the surface estate of lands adjacent to the WECS Project Site. Such notice shall include the name and address of the Applicant and the Department and a copy of the WECS Project site plan. The Applicant(s) shall not be required to give notice to persons or entities that have agreed in writing to the construction, operation, maintenance, and removal of the WECS Project.

ii. All surface lands within a WECS Project Site shall be owned or controlled by the Owner(s) or Operator(s). For this purpose, land shall be deemed controlled by the Owner(s) or Operator(s) if it is subject to a recorded lease, waiver, or other written agreement with the landowner under which the landowner has consented to the construction, operation, maintenance, and removal of the WECS Project. Nothing in this provision shall be construed to prevent the Board, upon notice and hearing and for good cause shown, from conditionally approving the WECS Project Site if the Owner(s) or Operator(s) has applied for a lease or easement from a state or federal agency.

iii. The Applicant(s) shall submit to the Department proof that the aforesaid written notice was given or that Applicant(s) has a recorded lease, waiver or other written agreement with the surface owner.

(2) Design Criteria

i. Design, construction, operation, maintenance, and decommissioning of all WECS Project facilities and infrastructure in compliance with County, state and federal laws and regulations. This shall include compliance with all applicable industry standards, including but not necessarily limited to the American National Standards Institute and the National Electrical Commission.

ii. Submission of copies of publicly available vendor specifications and drawings of proposed WECS Towers and other project structures and facilities.

iii. Certification by a Professional Engineer prior to construction that the design of the foundations and towers is within accepted professional standards.

iv. Submission of reports related to noise levels anticipated to be caused by the WECS Project.

v. A plainly visible warning sign regarding voltage be placed at the base of all pad-mounted transformers and substations. No other signage or logos of any type shall be installed on the towers except for signs related to safety, warning, emergency contact, and manufacturer's name or logo. Nothing in this provision shall be construed to prevent the Board, upon notice and hearing and for good cause shown, from approving other signage on towers.

(3) Aviation and Emergency Services Notification

(a) The Applicant shall provide proof to the Department of delivery of the proposed WECS Project site plan and project summary to public and commercial aviation service providers in the County. The Department will provide the Applicant with the list of public and commercial aviation service providers.

(b) The Applicant shall provide proof to the Department of delivery of copies of the proposed WECS Project site plan and project summary to providers of local emergency services in the County.

(c) Cooperation with local fire department and/or the Emergency Management Coordinator to develop an emergency response plan.

(4) Noxious and Invasive Weeds

i. Control of all noxious and invasive weeds and plant species within the disturbed surface land of the WECS Project Site until decommissioning is complete and the County has released the financial assurance for the WECS Project.

(5) WECS Tower Setbacks

(i.) Except as otherwise expressly provided for in subparagraphs (d) and (e) hereof, no WECS Tower shall be located closer than 1.10

times the WECS Tower Height to a Primary Structure(s), third party transmission line(s), communication tower(s) or road(s).

(ii.) All WECS Project structures shall be set back a distance not less than 1.10 times the WECS Tower Height from approved WECS Project Site boundaries.

(iii.) Notwithstanding any provisions to the contrary set forth herein, all WECS Project Site boundaries shall be set back a distance of not less than one-half mile from the then-current municipal boundary of any incorporated municipality, unless waived by the municipality.

(iv.) All WECS Project structures, except transmission lines, shall be set back a minimum of one-quarter mile from Interstate 25, U. S. Highway 20-26 and U. S. Highway 87.

(v.) All WECS Project structures, except transmission lines, shall be set back a minimum of one-quarter mile from State Highway 220, State Highway 251, State Highway 252, State Highway 253, State Highway 254, State Highway 256, State Highway 258, State Highway 259, State Highway 387 and State Highway 487.

(vi.) All WECS Project structures shall be set back from County and State Parks a minimum of one-quarter mile.

(vii.) WECS Project towers shall be set back from the boundary of a WECS Project Site a distance not less than 1.10 times the applicable Tower Height. Nothing in this provision shall be construed to prevent the Board, upon notice and hearing and for good cause shown, from approving a WECS Project Site with a boundary that is other than 1.10 times the applicable Tower Height from the blade tips on all towers and any buildings and structures constructed in association with the WECS Project.

(viii.) Setback distances may be modified at the discretion of the Board if the following standards are met:

(A.) Affected adjacent property owner(s) have waived applicable setback requirement(s), together with recordation of such waiver(s) at the Office of the Natrona County Clerk.

(B.) Additional standards and regulations to minimize the degradation of the visual, environmental or acoustic character of the area have been adopted by the County upon formal consideration, review and public hearing(s).

(ix.) Setback Waivers

(A.) Setback waivers obtained by Applicant(s) pursuant to the provisions of this section shall clearly identify the specific setback being waived. The waiver shall include the legal description (section, township and range) of the parcel affected by the waiver. The waiver shall be signed by a party authorized to waive

the setback requirement and shall be notarized. A copy of the recorded waiver shall be furnished by Applicant(s) to the Department prior to commencement of any WECS-related construction.

(6) Use of County Roads

(i.) Applicant(s), Owner(s), or Operator(s) proposing to use any County, municipal or State road(s), for the purposes of ingress and egress to the WECS Project site, transporting WECS(s) for construction, operation, or maintenance of the WECS(s) shall:

(A.) Identify all such County, municipal or State roads. Provide a preliminary mapping of haul routes within the County. Detail mapping of haul routes within the County shall be submitted promptly upon determination of such haul routes by Applicant(s).

(B.) Obtain required weight and size permits from relevant State or County government agencies.

(C.) Obtain new access, access modification or change of use of access permit; utility crossing permits from WYDOT for impacts to any State Highway facilities, as required.

(D.) For WECS Projects which are not owned or operated by a Public Utility subject to PSC regulation, secure bonding or other acceptable financial assurance in a reasonable amount at the discretion of the County Commissioners for the purpose of repairing any damage to County roads caused by constructing, operating or maintaining the WECS Project.

(E.) Applicant(s), will consult, within thirty (30) days of permit issuance, with the Natrona County Road and Bridge Department for a determination by the Road and Bridge Department of whether a maintenance agreement, that may include mitigation, is required.

(ii.) Submittal of traffic study for the construction and operations phases of a WECS Project is required before any building permits are issued. .

(7) Insurance

i. Maintenance of general liability insurance coverage for all activities associated with a WECS Project and for a WECS Project Site in an amount and with terms and conditions acceptable to the Board and evidenced by a certificate of insurance.

(8) Heirs, Successors, and Assigns

i. That all terms and conditions of the Conditional Use Permit are binding upon the heirs, successors and assigns of the Applicant(s), Owner(s), and Operator(s) of the WECS Project.

ii. The Owner(s) shall give written notice to the Department of the Owner's intent to assign or convey its interest in the WECS Project or WECS Project Site, or any part thereof. The Owner's heirs, successors or assigns shall assume in writing all of the duties and covenants of Applicant(s), Owner(s), and Operator(s) under the WECS Project Conditional Use Permit and these regulations.

(9) Decommissioning and Reclamation

i. For WECS Projects which are not owned or operated by a Public Utility subject to decommissioning requirements of the PSC, decommissioning and removal of all facilities associated with a WECS Project and commencement of reclamation of disturbed surface within eighteen (18) months after operations cease. The Operator(s) shall give written notice to the Department within ten (10) days after (a) electricity generated by the WECS Project is not conveyed via transmission lines off the WECS Project Site for delivery to power purchasers or consumers for a period of six (6) consecutive months, or (b) less than sixty percent (60%) of the towers in the WECS Project generate electricity for a period of six (6) consecutive months, whichever occurs first. The Operator(s) shall give written notice to the Department thirty (30) days prior to commencing decommissioning and removal of WECS Project facilities and reclamation of the surface. Nothing in this provision shall be construed to prevent the Board, upon notice and hearing and for good cause shown, from extending any applicable deadline for removal of a WECS Project.

ii. For WECS Projects which are not owned or operated by a Public Utility subject to PSC regulation, completion of reclamation of disturbed surface within one (1) year after the WECS Project facilities are removed, except that the reclamation requirements on private surface land shall be determined by the landowner. The Applicant(s) shall give written notice to the Department when reclamation is completed. Nothing in this provision shall be construed to prevent the Board, upon notice and hearing and for good cause shown, from extending any applicable deadline for completing site reclamation.

iii. For WECS Projects that are not owned or operated by a Public Utility subject to decommissioning requirements of the PSC, a Decommissioning Plan that, at a minimum, provides:

(A.) An initial itemized estimate of decommissioning and reclamation costs certified by a Professional Engineer together with subsequent updates of said initial itemized estimate of costs for decommissioning and reclamation, also certified by a Professional Engineer, upon the occurrence of the earliest of (a) notice by the Owner or Operator to the Department of the intent to decommission the

WECS Project, or (b) every five (5) years after operations of the WECS Project commence.

(B.) For Financial Assurance in the form of a surety bond or other security acceptable to the Board, in an amount and under such terms as the Board deems acceptable, assuring performance of all requirements related to construction, operation, maintenance, and decommissioning of the WECS Project and reclamation of the disturbed land. The amount of the bond or other acceptable security required shall be within the discretion of the Board; provided that, at a minimum the bond or other acceptable security amount shall be equal to the estimated cost of decommissioning the WECS Project and reclaiming all disturbed lands as provided in subparagraph (i) above, adjusted to reflect increases in costs. The bond or other acceptable security shall remain in full force and effect until the WECS Project is fully decommissioned and all disturbed land has been reclaimed or the bond or other acceptable security has been released by the Board, whichever first occurs.

(C.) For the removal of structures, infrastructure, and debris, including any infrastructure or equipment installed up to two (2) feet below the ground surface.

(D.) For reclamation of the disturbed surface lands, including recontouring and revegetation. On private land, the surface owner shall determine the reclamation requirements.

(10) Compliance with Additional Rules and Regulations

- i. All applicable FAA laws and regulations;
- ii. All FCC laws and regulations;
- iii. All provisions of W. S. §10-4-305;
- iv. All provisions of W. S. §35-10-401;
- v. All requirements of the Wyoming Industrial Development Information and Siting Act, W.S. §35-12-101 et. seq.; and
- vi. All County, state, and federal laws and regulations.
- vii. The Applicant to provide copies of all non-confidential required studies and reports demonstrating compliance with these regulations, and all certifications and approvals from state and federal agencies related to requirements of these regulations, upon request.

d. Conformance with the Conditional Use Permit

(1) Notice of Commencement of Operations

i. The Owner(s) or Operator(s) shall give written notice to the Department when construction of the WECS Project has commenced.

ii. The Owner(s) or Operator(s) shall give written notice to the Department when construction is completed and operations have commenced. For purposes of this subparagraph b, operations shall be deemed commenced when electricity generated by the WECS Project is conveyed via transmission lines off the WECS Project Site for delivery to power purchasers or consumers.

(2) WECS Project Tower Removals, Relocations, Additions and WECS Project Site Expansion

i. Owner(s) or Operator(s) shall provide the Department with thirty (30) days prior written notice of removal of a WECS Project Tower from the WECS Project Site. In the event Owner(s) or Operator(s) desire to relocate or add a WECS Project Tower(s) within the WECS Project Site, Owner(s) or Operator(s) shall promptly furnish written notice, including GPS coordinates for the new WECS Project Tower location, to the Department and shall obtain an approved Building Permit prior to WECS Project Tower relocation.

ii. Notice of planned expansion of a WECS Project Site shall be submitted to the Department in writing. WECS Project Site expansion(s) shall require a completed and approved Conditional Use Permit application before any expansion is undertaken.

(3) Conformance with the Conditional Use Permit for WECS Projects shall be contingent upon compliance with all provisions of subsection 9c hereof.

Adopted 09/2009

CHAPTER IX

NON-CONFORMING LOTS, STRUCTURES AND USES

Section 1. General Provisions.

a. W.S. § 18-5-207 provides as follows, "A zoning resolution enacted under the provisions of W.S. 18-5-201 through 206 cannot prohibit the continuance of any use of any land, building or structure for the purpose for which the land, building or structures is used at the time the resolution is adopted and it is not necessary to secure any certificate permitting such continuance. However, the alteration or addition to any existing building or structure, for the purpose of effecting any change in the use may be regulated or prohibited by zoning resolution. If a nonconforming use is discontinued any future use of such land, building or structure shall be in conformity with the provisions of the resolution regulating uses in the area in which the land, building or structure is located."

b. It is recognized that there may exist, within the zoning districts established by this Resolution, lots, structures and uses which were lawful ("grandfathered") before this Resolution became effective which would be prohibited, regulated or restricted under the terms of this Resolution. It is the intent of this Resolution to permit non-conformities to continue, providing said non-conformities are not extended, enlarged or expanded.

c. There may be a change of tenancy, ownership or management of a non-conforming lot, structure or use providing there is no change in the use or extent of said non-conformity.

d. Nothing in this Resolution shall prevent restoring to a safe condition any building or part thereof, declared to be unsafe by an official of Natrona County or of the State or Federal governments. Nothing in this Resolution shall prevent the installation or repair of curbs, gutters, sidewalks, streets, storm sewers or any other capital improvement that is for the safety and general welfare of the public.

Section 2. Non-Conforming Lots

a. A non-conforming lot is a platted lot or lot of record which, on the effective date of this Resolution or as a result of subsequent amendments thereto, does not comply with the minimum lot size requirements for the District in which the lot is located.

b. In any district in which a proposed use is permitted, notwithstanding limitations imposed by other provisions of this Resolution, said use may be conducted and necessary customary buildings may be erected on any vacant, single lot of record after the effective date of this Resolution. This provision shall apply even though such lot fails to meet the requirements for minimum lot size applicable to the zone, providing the use and buildings comply with all other bulk and use regulations for the zone in

which such lot is located. If necessary, an additional variance for other bulk requirements may be obtained in accordance with the provisions set forth in this Resolution.

If two or more lots were contiguous and in single ownership at the time of the adoption of this Resolution or amendments thereto, and if the lot, or combination of lots does not meet the requirements for minimum lot size, the land involved may be considered as an undivided parcel. No division of any parcel shall be made which leaves the remaining lot or fraction thereof with a size smaller than the requirements stated in the zoning district in which the lot or combination of lots is located.

Section 3. Non-Conforming Structures

a. A non-conforming structure is one which, on the effective date of this Resolution or as a result of subsequent amendments thereto, does not comply with the provisions of this Resolution for the district in which the non-conforming structure is located.

b. A lawful structure which exists on the effective date of adoption or amendment of this Resolution, which could not be built under the terms of this Resolution by reason of restriction on open space, height, setbacks or other requirements of the structure or its location on the lot, may be continued so long as it remains lawful.

Section 4. Guidelines Regarding Changes to Nonconforming Uses (NCU)

A nonconforming use cannot be extended, enlarged or expanded except as provided below. As a general philosophy, NCUs are permitted until they are replaced by conforming uses. This accomplishes the goal of having compatible uses in the zone.

(a.) A nonconforming use (NCU) is a use which was lawful when the zoning resolution (or any amendment) was enacted, but under the terms of the resolution is now prohibited, regulated or restricted. The right to an NCU depends on a legally commenced nonconforming use at the time the zoning resolution or amendment was adopted.

(b.) All NCUs are subject to reasonable restrictions designed to protect public health, safety and welfare.

(c.) An NCU is not affected by any change in ownership.

(d.) If active and continuous operation of a non-conforming use is discontinued for a period of 12 consecutive months, all subsequent uses shall be in compliance with the uses for the district in which the use is located.

(e.) Changes in the NCU. The "Natural Expansion Doctrine" recognized by many courts, allows limited expansion of an NCU as a matter of right where;

(1) Expansion merely extends the use contemplated at the time the use became nonconforming;

(2) Such expansion is not detrimental to the public welfare, safety or health; and

(3) Such expansion does not violate dimensional, space, lot size, and design, structural or aesthetic restrictions which are otherwise applicable.

(f.) The test used to determine whether a proposed use fits within an existing NCU is:

(1) Whether the use reflects the "nature and purpose" of the use prevailing when the zoning resolution took effect;

(2) Whether there is created a use different in quality or character, as well as degree, from the original use;

(3) Whether the use is different in kind in its effect on the surrounding neighborhood.

(g.) Factors to be considered (but not limited to) are:

(1) Seasonal vs. year round;

(2) Change in hours of operation;

(3) Change in commercial, wholesale, retail, industrial, manufactured, or residential use;

(4) Interior vs. exterior uses;

(5) Traffic/Parking;

(6) Volume of activity.

(h.) An increase in the volume or intensity of the use is not prohibited.

(i.) The addition or substitution of new impermissible uses or services is prohibited. A landowner cannot change an established NCU to a use different in nature from what was contemplated as the NCU.

(j.) Changes to Ancillary Uses. An ancillary use is one which was a part of the NCU, but was subordinate or secondary to the primary use. The expansion of an ancillary use is permitted where the change does not increase the volume or intensity of the use, nor does it require alterations or additions to the structure or affected parcel.

(k.) Modernization. Addition of equipment or facilities to increase the efficiency or modernize the plant is allowable, but the addition of equipment and/or facilities to add uses or to substantially change the existing uses is prohibited.

(l.) Change in Location. Expansion of an NCU is limited to the land or parcels occupied by or clearly intended to be utilized for this use. Expansion of an NCU to adjacent lots or parcels not originally contemplated for such use, or newly acquired lots or parcels, is prohibited.

(m.) If a nonconforming use is addressed in Homeowners Association covenants as a permitted use that use will not be subject to the terms of abandonment in this section.

(n.) Decisions regarding nonconforming uses shall be made by the Development Director. The decision of the Development Director may be appealed, subject to the provisions of this Resolution.

CHAPTER X

ZONE MAP AND TEXT AMENDMENTS

Section 1. Zone Map Amendments

a. The purpose of zoning is to promote the public health, safety and welfare of the citizens of the County. The zoning regulations, restrictions and boundaries set forth in this Resolution may, from time to time, need to be amended to recognize changing conditions in the County.

b. A zone map amendment (zone change hereafter) is a Resolution adopted by the Board which changes the zoning district classification of a particular parcel of land on the official zone map of Natrona County.

c. When acting on zone changes, the Commission and the Board shall be guided by Chapter I, Section 1. (Intent and Purpose) and Section 2. (Goals and Policies) of this Resolution. In addition the Commission or Board shall require that the applicant provide evidence that the proposed zone change will meet at least one of the following criteria:

(1.) Is necessary to come into compliance with the Natrona County Development Plan.

(2.) The existing zoning of the land was the result of a clerical error;

(3.) The existing zoning of the land was based on a mistake of fact;

(4.) The existing zoning of the land failed to take into account the constraints on development created by the natural characteristics of the land, including but not limited to, steep slopes, floodplain, unstable soils, and inadequate drainage;

(5.) The land or its surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area or to recognize the changed character of the area; or

(6.) The proposed rezoning is necessary in order to provide land for a community need that was not anticipated at the time of adoption of the Natrona County Development Plan.

d. Subject to the procedures specified in this section, zone changes may be initiated in any of the following ways:

(1) By the Commission upon its own motion.

(2) By the Board upon its own motion.

(3) By petition by a majority of the owner(s) of record or the contract purchaser(s) of the property, owning a majority of the assessed valuation of the area to be rezoned.

e. When initiated by a property owner, an application for a zone change must be submitted on an application form provided by the Planning Department, signed by the owner and applicant and accompanied by a site plan. Said application must be signed by the owner and must contain the names and mailing addresses of all adjacent property owners, as well as any other information determined to be necessary by the Planning Department.

f. In order to provide the Planning Department with sufficient time to make an on-site inspection, the proposed zone change is advertised, and a recommendation is forwarded to the Commission. The application must be filed with the Planning Department a minimum of thirty (30) days plus five (5) working days prior to the Commission meeting at which the application is to be considered.

g. The Board may establish a zone change fee sufficient to cover the cost of the public notice, as well as other expenses incidental to the review of the application. The fee must be paid at the time the application is submitted and is not refundable.

h. In accordance with Section 18-5-202(b) W.S. 1977, the Commission shall hold a public hearing before amending the zoning district classification of any parcel of land within the unincorporated areas of Natrona County. Notice of the time and place of the hearing shall be given by one publication in a newspaper of general circulation in the County at least thirty (30) days before the date of the hearing. The notice shall contain the legal description of the land and vicinity. The Planning Department shall be responsible for the legal publication.

i. Not less than seven (7) days prior to the Commission meeting, the property shall be posted with a notice of the application and the Planning Department will attempt to notify all adjacent property owners as listed on the application of the date, time and location of the Commission meeting at which the application will be considered. Failure to notify a property owner due to clerical oversight or failure of mail delivery shall not affect the validity of the meeting or the decision of the Commission.

j. The Planning Department shall prepare a recommendation on the application for the Commission. The Commission shall conduct a public hearing in accordance with its own rules. The Commission shall hear and consider evidence and argument on the application from any person present at the meeting who desires to be heard and may also consider written communication from any person regarding the application.

k. After the close of its hearing, the Commission shall recommend to the Board: approval of the application as submitted; approval of the application subject to such modifications as it deems necessary; denial of the application; or the Commission

may table the application to a date specific. With the express approval of the applicant, the Commission may table the application indefinitely or it may dismiss the application.

l. In accordance with Section 18-5-202(c) of W.S. 1977, the Board, before adopting the recommendations of the Commission, shall hold a public hearing. Notice of the time and place of both the hearing with the Planning Commission and Board shall be given by one publication in a newspaper of general circulation in the County at least fourteen (14) days before the date of the hearing. The Planning Department shall be responsible for the legal publication.

m. Not less than seven (7) days prior to the Board meeting, the Planning Department will mail to the applicant a written notice of the date, time and location of the Board meeting at which the application will be considered.

n. The Planning Department shall deliver its recommendation on the application and the action of the Commission to the Board. The Board shall conduct a public hearing, as provided by law. The Board shall hear and consider evidence and arguments on the application from any person present at the meeting who desires to be heard and may also consider written communication from any person regarding the application.

o. After closing the public hearing on the application, the Board shall approve the rezoning of the application as recommended by the Commission; approve the application as submitted; deny the application; remand the application to the Commission for reconsideration; or table the application to a date specific. With the express approval of the applicant, the Board may table the application indefinitely or dismiss the application.

p. No application for a zone change, which has been denied wholly or in part by the Board, may be resubmitted for a period of twelve (12) months from the date of said denial, except on the grounds of new evidence or proof of change of conditions.

q. Either the Commission or the Board may require the applicant to furnish additional information so that the Commission or Board or both can make a more informed decision. The information requested may include, but not be limited to, geotechnical reports, percolation tests, water analyses, and traffic studies. Such studies are to be provided at the sole expense of the applicant.

Section 2. Text Amendments

a. It is recognized that changing conditions in the County and/or legislative changes may require amendments be adopted to the language of this Resolution.

b. A text amendment is a Resolution adopted by the Board which adds to, deletes or changes the language of this Resolution. Text amendments are governed by W.S. 16-3-101.

c. Subject to the procedures outlined in this section, amendments may be initiated either:

- (1) By the Commission, upon its own motion.
- (2) By the Board, upon its own motion, directing the commission to initiate an amendment.

The public or planning staff may propose amendments to the Commission, which at its discretion, may be initiated.

d. The Commission shall hold a public hearing regarding the proposed amendment(s). Notice of the time and place of the hearing shall be given by one publication in a newspaper of general circulation in the County at least fourteen (14) days before the date of the hearing. The Planning Department shall be responsible for the legal publication.

e. The Planning Department shall prepare a recommendation on the amendment for the Commission. The Commission shall conduct a public hearing in accordance with its rules and shall hear and consider evidence and argument on the amendment from any person at the meeting who desires to be heard and may also consider written communication from any person regarding the amendment. Following the hearing, the Commission shall prepare and forward a recommendation to the Board.

f. In accordance with Section 18-5-202(c) W.S. 1977, the Board, before adopting the recommendations of the Commission, shall hold a public hearing. Notice of the time and place of the hearing shall be given by one publication in a newspaper of general circulation in the County at least forty-five (45) days before the date of the hearing. Public hearing notices for both hearings may be combined into one notice.

g. The Board shall conduct a public hearing, in accordance with its rules, and shall hear and consider evidence and argument from any person on the proposed amendment. The Board shall also consider written communication from any person regarding the amendment.

h. Upon approval of a text amendment by the Board, the County Planning Department shall amend the Resolution to reflect the amendment and file a copy with the County Clerk.

CHAPTER XI

VARIANCES AND CONDITIONAL USE PERMITS

Section 1. Variances

a. Zoning involves the application of land use control measures to an entire community through the designation of zoning districts and the imposition of various uses, density, bulk and other restrictions (see Chapter VII, Design Criteria and Procedures). This broad approach of controlling development may create hardships for individual landowners, whose private interests will often conflict with the public policies mandated by state and local governments. In an effort to relieve this conflict, a landowner who feels unduly injured by the application of the regulations of this Resolution may apply for a variance.

b. A variance is authorization for a property owner to depart from the literal requirements of this Resolution as it applies to his land.

c. Unless otherwise specified, and with the exception of Collector Car Storage conditional use permits, a variance runs with the land and does not terminate when the property is sold. A new owner succeeds to the benefits enjoyed by the former owner under the variance issued to him. However, the successor in interest is subject to the limitations specified in the variance and can assert no greater rights than those formerly granted.

d. When acting upon variances, the Board shall be guided by the provisions of Chapter 1, Sec.1 (Intent and Purpose), Chapter 1, Sec. 2 (Goals and Policies), and this Chapter. In addition, the Board shall require showings concerning all of the following:

(1) The owner of record or contract purchaser has signed the application.

(2) There are exceptional or extraordinary circumstances and conditions applicable to the property involved and literal application of this Resolution to the applicant's property will result in "unnecessary hardship."

(3) The hardship is due to unique circumstances. (This proof is considered crucial to the validity of the variance because it insures that the Board does not rezone the area under the guise of the variance procedure. Since the purpose of a variance is to bring the applicant into substantial parity with other landowners in the same zone, the applicant has the burden of demonstrating that the difficulties facing him are different from those of his neighbors.)

(4) The variance will not authorize a use other than those uses specifically listed as permitted or conditional uses in the zoning district in which the variance is sought.

(5) The variance will not result in a gain in use, service or income for the applicant to a greater extent than available to other landowners in the vicinity.

(6) Granting the variance will not merely serve as a convenience for the applicant but is necessary to alleviate a proven hardship.

(7) Granting the variance will not impair the use of adjacent property or alter the character of the neighborhood.

(8) Granting the variance will not detrimentally affect the public health, safety and welfare or nullify the intent and purpose of the Land Use Plan or this Resolution.

Section 2. Conditional Use Permits

a. Each zoning district in this Resolution contains certain designated permitted uses available as a matter of right with no approval necessary from the Commission or the Board. Each zoning district also contains certain conditional uses, neither absolutely permitted as a right nor prohibited by law, which are compatible within the zoning district. They are privileges, in a sense, which must be applied for and approved by the Commission and the Board. The purpose of a Conditional Use Permit is to enable the County to exercise some measure of control over the extent of certain activities which, although desirable in limited numbers, could have a detrimental effect within the district if they were permitted in large numbers.

b. A Conditional Use Permit is an authorization which allows a landowner to use his property in a manner compatible with the zoning district in which it is located, provided he demonstrates compliance with all standards and criteria enumerated in this Resolution and specified by the Board.

c. Unless otherwise specified and with the exception of Collector Car Storage conditional use permits, a Conditional Use Permit runs with the land and does not terminate when the property is sold. A new owner succeeds to the benefits enjoyed by the former owner under the Conditional Use Permit issued to him. However, the successor in interest is subject to the limitations specified in the Conditional Use Permit and can assert no greater rights therein than those formerly granted. A Conditional Use Permit shall become void one year after it was granted unless use is made thereof.

d. When acting upon Conditional Use Permits, the Commission and the Board shall be guided by the provisions of Chapter 1, Sec. 1 (Intent and Purpose), Chapter 1, Sec. 2 (Goals and Policies) and this Chapter. In addition the Commission or Board shall require showings concerning all of the following:

(1) The owner of record or contract purchaser has signed the application.

(2) Granting the Conditional Use Permit will not contribute to an overburdening of County services.

(3) Granting the Conditional Use will not cause undue traffic, parking, population density or environmental problems.

(4) Granting the Conditional Use permit will not impair the use of adjacent property or alter the character of the neighborhood.

(5) Granting the Conditional Use Permit will not detrimentally affect the public health, safety and welfare, or nullify the intent of the Land Use Plan or this Resolution.

Section 3. General Provisions for Variances and Conditional Use Permits

a. An application for a Variance or Conditional Use Permit must be submitted to the Board on an application form provided by the Planning Department, signed by the owner and applicant and must be accompanied by a site plan. Said application must be signed by the owner, must contain the names and mailing addresses of all adjacent property owners, and must be accompanied by a site plan, as well as any other information determined to be necessary by the Planning Department.

b. In order to provide the Planning Department with sufficient time to make an on-site inspection and forward a recommendation to the Commission, the application must be filed with the Planning Department a minimum of fifteen (15) working days prior to the Commission meeting at which the application is to be considered.

c. The Board may establish a fee sufficient to cover the cost of expenses incidental to the review and processing of the application. The fee must be paid at the time the application is submitted and is not refundable.

d. The Commission and the Board shall each hold a public hearing regarding the proposed variance or conditional use permit. Notice of the time and place of the hearing may be given by one publication in a newspaper of general circulation in the County at least fourteen (14) days before the date of the hearing. The Planning Department shall be responsible for the legal publication.

e. Not less than seven (7) days prior to the Planning Commission meeting, the property shall be posted with notice of the application, and the Planning Department will attempt to notify all the adjacent property owners listed on the application with the time, date and place of the hearing before the Commission. Failure to notify adjacent property owners due to clerical oversight or failure of mail delivery shall not affect the validity of the meeting or the decision of the Planning Commission.

f. The Planning Department shall prepare a recommendation on the application for the Commission which shall be made available to the applicant if required. The commission shall hear and consider evidence and argument on the application from any person present at the meeting who desires to be heard and may also consider written communication from any person regarding the application.

g. After receiving the evidence and argument presented, the Commission shall approve the application as submitted, approve the application subject to such modifications or conditions as it deems necessary, table the application to a date specific, or deny the application. In these cases the Commission shall specify the reasons for its action. With the applicant's express permission, the Commission may table the application indefinitely or dismiss the application.

h. Within three (3) working days following the decision by the Commission on the application, the Planning Department will notify the applicant of the Commission's action.

i. The Planning Department shall deliver its recommendation on the application and the action of the Commission to the Board. The Board shall conduct a public hearing as provided by law. The Board shall hear and consider evidence and arguments on the application from any person present at the meeting who desires to be heard and any written communication from any person regarding the application.

j. After closing the public hearing on the application, the Board shall approve the application as recommended by the Planning Commission; approve the application as submitted; approve the application on its own conditions; deny the application; remand the application to the Planning Commission for reconsideration or table to a date specific. With the express consent of the applicant, the Board may table indefinitely or dismiss the application.

k. No application for a Conditional Use Permit or variance which has been denied wholly or in part by the Board shall be resubmitted for a period of twelve (12) months from the date of said denial, except on grounds of new evidence or proof of change of conditions found to be valid by the Planning Department.

l. The Planning Department may periodically review all Conditional Use Permits, except those for which all conditions have been permanently satisfied. The Department has the power to inspect the land or structure where any conditional use is located in order to determine if the landowner is complying with the conditions of the Conditional Use Permit.

If the landowner is not complying with all of the conditions, the Board may revoke the Conditional Use Permit and take such legal action it determines necessary to cause the termination of the activity on the land for which the Conditional Use Permit was authorized.

Once a Conditional Use Permit has been granted and all conditions required are completed, the Department may make a determination that the conditions have been satisfied and record this information in the file. Thereafter, if the landowner continues to meet the conditions, the conditional use permit remains valid and in effect.

Revised and Adopted 04/19/2011

APPENDIX A

DEFINITIONS

Abandoned vehicle - a vehicle is presumed abandoned if it is left unattended on any public or private property without express consent of the owner or person in lawful possession or control of the property for more than five days. A vehicle left unattended due to adverse road or weather conditions is not an abandoned vehicle.

Accessory building - a subordinate building larger than 120 square feet located on the same lot as the principal building and which is incidental to the principal building such as a detached garage or tool shed.

Accessory use - a use subordinate to and serving the principal use or structure on the same lot.

Accumulation – massing or storing of debris, waste, matter or other material in a amount equivalent to a four (4) foot high pile encompassing more than one percent (1%) of total property area, or in quantities exceeding that which would commonly be considered reasonable or consistent with surrounding properties and like uses.

Adjacent property - any property which physically abuts the subject property boundary lines.

Agriculture, commercial ranching and agriculture and associated accessory uses - use of a lot or portion of a lot by an individual or corporation generally engaged in the production of crops, livestock or poultry, for sale, barter, trade or home consumption, including structures or other improvements incidental to such activities, who devotes a majority of his time to such business (also includes a commercial ranch). This definition includes arenas, recreational activities, greenhouses, livestock experimentation, dairy operations, meat poultry and wild game processing, sale barns, logging, sawmills, animal clinics and kennels.

Agriculture, light (listed as Light Agriculture) - the use of a lot or portion of a lot for agricultural production for the primary use of the residents of the lot, including the raising of livestock, food animals, horses, mules and including 4-H and vocational agricultural projects.

Airport or Heliport - an area of land, water or a structural surface which is used or intended for use for the take-off and landing of aircraft or helicopters, for the purposes of discharging or receiving cargo and passengers, and any appurtenant areas which are used or intended for use as airport or heliport building and facilities.

Airstrip - a long, narrow, hard-surfaced area or runway suitable for the take-off and landing of aircraft, including appurtenant facilities, but excluding the scheduled commercial transport of passengers or goods.

Alley - a minor public or private thoroughfare, other than a dedicated half-street, upon which the rear of building lots generally abut.

All-weather surface - asphalt, concrete or a crushed base of grading "W" or similar standard material at design thickness as determined by the Natrona County Engineer.

Alterations, structural - any change in the load bearing or non-load bearing members of the structure, such as bearing walls, partitions, volume beams or girders. Any enlargement in the size or height of a structure shall be construed to be a structural alteration.

Animal clinic - an establishment where animals are admitted principally for examination, treatment or care by a doctor of veterinary medicine.

Animals, pets - animals that are tamed or domesticated such as cats, dogs, birds, fish, non-poisonous reptiles, llamas, pot-belly pigs, and other similar animals for the use and enjoyment of the resident(s) of the lot. Pets are an accessory use. Also see definition of kennel.

Animal shelter - a building or premises, the purpose of which is the temporary quartering, impoundment, housing, confinement, and/or care of animals, usually abandoned or unclaimed.

Arena, commercial - an enclosure, with or without a ceiling, utilized for the display, performance, show, contest or training of animals. A commercial arena is intended to be operated as a business.

Arena, recreational - an enclosure, with or without a ceiling, utilized for the display, performance, show, contest or training of animals. A recreational arena is not intended to be operated as a business.

Auto reduction yard/recycling center - an area or business used for dismantling, wrecking, dumping or storage of inoperative vehicles including the buying, selling or dealing in such vehicles or parts of vehicles. This shall include inoperative vehicles and vehicle parts which are part of an auto repair or body shop operation if left for more than forty-five (45) days.

Auto repair - general repair, rebuilding or reconditioning of engines, motor vehicles or trailers, including body work, framework, welding and major painting service, when said service above stated is applied to passenger automobiles and light trucks.

Auto service station - a retail place of business engaged primarily in the sale of motor fuels, but also may be engaged in supplying goods and services generally associated with the operation and maintenance of motor vehicles. These may include sale of petroleum products, sale and servicing of tires, batteries, automotive

accessories, and replacement items, washing and lubrication services; and the performance of minor automotive maintenance and repair.

Auto wrecker service - the towing of wrecked, damaged, inoperable, repossessed or stolen vehicles and vehicles held for impoundment or investigation from one location to another. Said service shall not include the storage or reduction of the towed vehicles. An auto wrecker service may be a complimentary use to an auto repair station, auto reduction yard or auto service station.

Automobile, truck and trailer sales – a building or premises where two or more motor vehicles or trailers are offered for sale.

Aviation Easement - a signed agreement by a property owner in the Airport Influence Area allowing the maneuvering and passage of all aircraft in the airspace above the property owner's land, by which the property owner releases Natrona County International Airport from all effects caused by the operation of aircraft.

Barn - an accessory building erected on or moved to a farm or ranch used primarily for the storage of agricultural products, agricultural equipment and sheltering of animals and animal products. This includes the term “stable”.

Bar - an establishment where alcoholic beverages are sold and consumed on the premises, even if such sales are incidental to the principle business of such an establishment (includes lounge and tavern).

Basement - any portion of a building located partly underground. A basement shall be counted as a story if it has one-half or more of its height above the average level of the adjoining ground, and if it is intended to be used for dwelling or business purposes.

Bed and Breakfast - a private residence which has up to six bedrooms for rent for overnight guests and may provide breakfast meals for the guests.

Block - an area of land within a subdivision that is entirely bound by streets or a street and railroad right-of-way, natural barrier, or adjacent corporate line.

Board - the Board of County Commissioners, Natrona County, Wyoming.

Bottling factory - a business that manufactures bottled or canned beverages for human consumption. "Dairy" is not included under this definition.

Building - Any structure having a roof which may provide shelter or enclosure of persons, animals or chattel. When said structure is divided by party walls without openings and meeting the area separation requirements of the Uniform Building Code each portion of such building so separated shall be deemed a separate building.

Building, existing - a building erected prior to the adoption date of this Resolution or one for which a legal building permit has been issued.

Building height - the vertical distance above the mean grade, as defined herein, to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped roof. The measurement may be taken from the highest adjoining sidewalk or ground surface within a five foot horizontal distance of the exterior wall of the building when such sidewalk or ground surface is not more than 20 feet above grade. The height of a stepped or terraced building is the maximum height of any segment of the building.

Building official - the designated representative of the Board of County Commissioners.

Building, service - a building housing separate toilet and bathing facilities for men and women, having laundry facilities and a service sink.

Bulk regulations - any provision of this Resolution controlling district size, lot size, open space, height or setbacks.

Business - any person or corporation engaged in the purchase, sale, barter or exchange of goods, wares, merchandise or service, or the management and operation of offices, recreational and amusement enterprise.

Business, retail - the engagement in the purchase, sale, barter or exchange of goods, wares, merchandise or service in small quantities, to the general public.

Business, wholesale - the engagement in the purchase, sale, barter or exchange of goods, wares, merchandise or service in large quantities or to other businesses for resale.

Camper - a trailer or vehicle-mounted unit designed to provide temporary living or sleeping quarters.

Campground - land developed and approved by Natrona County for temporary occupancy, not exceeding 14 days, by any one or combination of the following: tent, pick-up camper, camp trailer, motor home, or tent-trailer.

Central Natrona County Natural Hazard Study - The Central Natrona County Geologic Hazards Study and all maps included, as approved and adopted by the Commission and the Board.

Certificate of Occupancy - Written certification authorizing occupancy of a building issued by the Building Official after final inspection, when it is found that the building or structure complies with the provisions of the applicable codes and resolutions enforced by Natrona County

Cemetery - land used for burial, platted and dedicated for such purposes, including columbarium's, crematories, mausoleums and mortuaries when operated in conjunction with and within the boundaries of such cemeteries (includes pet cemeteries).

Child Care Home – a facility providing care more than sixteen (16) children in a non-residential facility, and regulated by the State of Wyoming.

Club or lodge, membership club - a non-profit association, as determined by the Internal Revenue Service, of persons who are bona fide members paying actual dues and with the use of the premises being restricted to the members and their guests.

Cluster development - a development designed as a complete and integrated unit in which the units are concentrated on the portion of the site most suitable for development and within which prescribed minimum standards for the site area, setbacks, and the bulk and spacing of buildings may be modified to achieve the preservation of open space areas of 50 percent (50%) or more of the total acreage.

Collector cars -- Any inoperable or unlicensed vehicle, which was previously licensed for highway use, including parts cars, having historical or economic appeal to the individual accumulating the cars and which are stored and maintained in a manner which emphasizes preservation of the car(s) and prevents or minimizes their physical deterioration.

Collector Car Storage is defined as a land use that provides for an area for non-commercial dismantling and storage of five (5) or more collector cars in the RAM, UA, LI, and HI zoning districts, or one (1) or more collector cars in the RR-1, RR-2, SR-1, SR-2, and UMR zoning districts.

Collector Items – any lawful accumulation of inanimate objects, excluding all motorized vehicles, having emotional, intellectual, artistic, academic, historical or other appeal to the individual(s) accumulating the objects and which are displayed, stored and maintained in a manner which emphasizes preservation of the objects and prevents or minimizes their physical deterioration.

Commercial - having the qualities of business, as defined in this section.

Commercial recreation - Bowling alley, cart tract, jump center, golf, miniature golf, pool hall, vehicle racing or amusement, dance hall, skating, fully enclosed indoor firearm range, gyms, swimming pools, game arcades and similar uses.

Commission - the Natrona County Planning and Zoning Commission.

Common open space - open area designed and developed for use by the occupants of a planned unit or other development or by others for recreation, whether

commercial or private, courts, gardens or other uses. The term open space shall not include space devoted to streets and parking.

Common wall - an unbroken wall meeting area separation requirements of the Uniform Building Code shared by two or more separate buildings.

Communication tower - see Chapter VII, Design Criteria and Procedures, Section 15.

Comprehensive Plan - the Natrona County Land Use Plan, as currently adopted by the Commission and the Board.

Concrete batch plant - a facility, either permanent or temporary in nature where concrete is mixed and distributed in measured quantities for delivery to another location or for use on the lot upon which the concrete batch plant is located.

Condominium - a form of joint ownership of all common property but with separate fee ownership of individual dwelling units.

Confinement livestock facility – an industrial agricultural facility in which cattle, sheep, swine or poultry are confined within buildings, pens or corrals without daily access to pasture for purposes of feeding for market sale or breeding and reproduction. Such facilities shall be operated in compliance with Wyoming State Statutes 11-39-101 et. seq.

Construction yard or shop - a building or grounds utilized for the storage of materials or repair and maintenance of equipment used in the construction business. This use does not include retail sales.

Convenience store - a small business establishment designed and intended to serve the daily, frequent trade or service needs of the population immediately surrounding it. Such establishments may include groceries, drug stores, dairy stores, or those businesses which primarily sell grocery-store related products and motor fuels on a small scale. These stores do not include repair of autos.

Correctional Facility – a private or public facility that houses individuals participating in work release or similar programs from state institutions and under the supervision of a court, state or local agency.

Corrective Action Management Unit (CAMU) - is permitted by WDEQ to accept both hazardous and non-hazardous remediation waste generated in association with voluntary Solid Waste Management Unit (SWMU) and soil remediation activities

Covenants - a written and signed agreement concerning the use of land, in the future, between the person selling a parcel of land and the person buying the land,

enforceable only by those with legal title to said land or those authorized to enforce the agreement.

Curb level - the mean level of the curb or established curb grade in front of a lot.

Decibel (db) - The measurement of sound pressure relative to the logarithmic conversion of the sound pressure reference level often set as 0 db (A-weighted). In general, this means the quietest sound we can hear is near 0 db (A-weighted) and the loudest sound that we can hear without pain is near 120 db (A-weighted). Most sound is typical environment range from 30 to 100 db (A-weighted). Normal speech at three (3) feet averages about 65 db (A-weighted). (Resolution 73-08).

Density - the number of dwelling units of any type, including mobile homes, on the site of any development, expressed as the number of units per acre, taking into account the total area of the land contained within the exterior boundaries of the site.

Department - Natrona County Planning Department or Natrona County Development Department.

Development - any man-made change to improved or unimproved real estate, including but not limited to building or other structures, as well as, mining, dredging, filling, grading, paving, excavation or drilling operations.

Development master plan - a plan for a large development which encompasses an entire site under one or more ownerships, which is designed to accommodate one or more land uses, the development of which may be phased and which could include planned unit development, cluster development or planned commercial development.

Director - Natrona County Planning Department Director or County Planner/Natrona County Development Department Director

District - a section or sections of the County for which uniform regulations governing the use of building and land, size of yards, open space and densities of use are prescribed.

Drilling rig assembly - the dismantling or assembly of a drilling rig for maintenance or original construction.

Drive-through facilities - a business establishment so designed that a portion of its retail or service character is dependent on providing a driveway approach for motor vehicles to serve patrons while in the motor vehicle, rather than within the building.

Driveway - a minor way used for egress and ingress of vehicles to public or private property.

Dwelling - one or more habitable rooms which are intended or designed for human occupancy and designed with facilities for sleeping, cooking and eating.

Dwelling, mobile home - a structure transportable in one or more sections which is eight body feet or more in width and which is thirty-two body feet or more in length; which is built on a permanent chassis and designed to be used as a dwelling, with or without a permanent foundation, when connected to the required utilities and has certification that the unit is built in accordance with the Mobile Home Construction and Safety Standards of the U. S. Department of Housing and Urban Development or, if constructed prior to December 18, 1975, is built in accordance with ANSI Standards (does not include manufactured housing).

Dwelling, multi-family - a residence constructed to house three or more families year-round.

Dwelling, single family - a residence constructed to house one family year round.

Dwelling, two-family - a residence constructed to house two families year-round.

Easement - the liberty, right, privilege or authorization by which the legal owner of a parcel of land, grants the use of his land or a part thereof for a specific purpose to another person or landowner.

Engineer, licensed - any person licensed as a professional engineer by the State of Wyoming.

Environmental Quality Act (EQA) – As contained in Wyoming Statutes Title 35 Public Health and Safety, Chapter 11, Environmental Quality.

Explosives – materials which could experience detonation.

Family - one or more persons occupying a single dwelling unit, related by blood, marriage or adoption. Domestic servants employed on the premises may be based on the premises without being counted as a family or families. A family shall exclude a group occupying a hotel, club, fraternity, sorority, religious society or similarly used structure.

Family Child Care Home – a facility providing care for not more than ten (10) children in a residence for two (2) hours or more but less than twenty-four (24) hours per day and regulated by the State of Wyoming.”

Family Child Care Center – a facility providing care for not more than fifteen (15) children in either a residence or non-residential setting, for more than two (2) hours

or more but less than twenty-four (24) hours per day and regulated by the State of Wyoming.”

Fence - any partition, structure, wall or gate erected as a dividing marker, barrier or enclosure of property.

Floor area - the sum of all gross interior floor areas of a building, measured at the exterior faces of all walls on each story and excluding any parking area used exclusively for motor vehicles.

Floor area ratio - the numerical value obtained through dividing the floor area of a building or buildings by the lot area on which such building or buildings are located.

Forestry - the science and art of caring for or cultivating forests.

Front lot line - for an interior lot, that line separating the lot from the street. For a corner lot or a double frontage lot, that line separating said lot from the street that is designated as the front street.

Garden shed - an accessory structure used for the storage and/or sheltering of garden tools, seeds, bulbs, fertilizer and the like, under 120 square feet.

Goal - a statement of purpose or long term accomplishment which is an ideal future condition desired by the County. Goals address broad areas of concern and are in many instances interrelated.

Golf course - an area or course for playing golf consisting of at least nine holes and excluding miniature golf.

Governing body - the Board of County Commissioners, Natrona County, Wyoming.

Grade level, mean - the average elevation of the ground adjoining the building or structure on all sides.

Greenhouse, commercial - a structure largely made of glass, plastic or a similar substance which uses solar heating or some form of temperature control for the purposes of protecting and/or cultivating plants, trees, flowering and decorative plants, and shrubs for sale on either a retail or wholesale basis.

Ground anchors - any approved device for the purpose of securing a mobile home to the ground.

Guest or dude ranch; hunting lodge - a business that operates a ranch, including associated lands and accessory buildings and structures, as a resort for tourists.

Halfway house - a use providing room and board, recreational, counseling and other rehabilitative or readjustment services to individuals of either sex who, by reason of mental or physical disability, addiction to drugs or alcohol, or family or school adjustment problems, require specialized attention and care in order to achieve personal independence.

Hazardous Material – a substance or material determined by the Secretary of Transportation to capable of posing an unreasonable risk to health, safety and property when transported in commerce and designated as hazardous under applicable Federal law (49 U. S. C. 5103). Hazardous material and substance includes hazardous wastes, marine pollutants, elevated temperature materials and materials designated as hazardous under Hazardous Materials Regulations (49 CFR Parts 100-185).

Health Officer - the Administrator of the Casper-Natrona County Health Department, or his authorized representative.

Home business - an occupation or activity carried on by the immediate members of the family residing on the premises and up to two other employees, which may require an accessory building. Said occupation or activity shall not create a nuisance to the surrounding property, shall be compatible with the intent of the zoning district in which the home business is located, and shall not change the character of the neighborhood in which the property is located. One three square foot sign with the name of the resident and nature of the home business is allowed.

Home occupation - an occupation or activity carried on by the immediate members of the family residing on the premises. Said occupation shall not be visible or noticeable from outside the walls of the dwelling, residential garage, or of the accessory buildings, shall not constitute a nuisance to the surrounding properties, and shall be clearly incidental and secondary to the residential occupancy. One three square foot sign with the name of the resident and nature of the home occupation is allowed

Hospital - an institution providing medical and surgical care for humans only includes in- and out-patients, medical service, training and research facilities.

Hot mix plant - a facility either temporary or permanent in nature, where substances are combined by heating to form asphalt for use at another location or on the lot upon which the hot mix plant is located.

Inoperable vehicle is defined as any motor vehicle which cannot be moved under its own power, or cannot be operated lawfully on a public street or highway due to lack of an engine, transmission, wheels, tires or is not currently registered and displaying current license or permits, or when such vehicle is totally or partially suspended above the ground by jack, block or any other lifting device.

Instrument runway - a runway equipped with air navigation facilities suitable to permit the landing of aircraft by an instrument approach under restricted visibility conditions.

Junk – used materials including but not limited to scrap metals, pipe, tubing, casing, paper, rags, rubber tires and bottles.

Kennel - Any lot or premises, on which more than three dogs, cats or other household pets are boarded, bred or sold and which may provide outdoor animal pens and runs.

Landscaped area - the portion of a site containing planted areas and plant materials, including trees, shrubs, ground cover and other types of vegetation, together with decorative elements such as walks, benches, terraces, suitable for ornamenting or screening or uses on the site.

Leach field - a system of underground perforated pipe which distributes the processed effluent from a septic tank system into a gravel bed, thus infiltrating into the surrounding ground.

Legal publication - an official notice in a newspaper of general circulation, as prescribed by Wyoming State Statutes.

Light Agriculture – See Agriculture, Light.

Livestock - animals raised for profit, or personal use including but not limited to horses, bovine animals, sheep, goats, swine, reindeer, donkeys, mules, rabbits, poultry, llamas, ostriches, emus and rattans or any other animals except pets.

Loading/unloading space - an off-street space for the loading and unloading of vehicles to avoid undue interference with the public use of streets and alleys.

Lot - land established by plat, subdivision, or as otherwise permitted by law, to be used, developed or built upon as a unit.

Lot area - the total area of a lot on a horizontal plane bounded by lot lines.

Lot, corner – a lot situated at the point of intersection of two or more streets.

Lot coverage - that part or percent of a lot occupied by buildings, including accessory buildings.

Lot depth - the mean horizontal distance between the front and rear lot lines, measured along the median between the two side lot lines.

Lot line, front – the lot line parallel with a public street or road right-of-way providing access to a lot.

Lot line, rear – the lot line opposite the front lot line. In case of an irregular shaped lot the rear line shall be an imaginary line not less than ten (10) feet in length and parallel to the front lot line.

Lot of record - a platted lot or metes and bounds parcel which has been legally recorded in the office of the County Clerk in conformance with this resolution.

Lot width - a straight line distance between the side lot lines measured at the front building line.

Maintenance - repair work on a structure, including painting, carpentry, glazing and the reinforcement or replacement of defective parts, including roofs, foundations, structural members and the like, but not including an addition or enlargement or a replacement of the structure.

Man camps – temporary housing, requiring no hook-up to water or sewer, and appurtenant facilities associated with highway, pipeline and power line construction or mineral exploration.

Manufactured Home - a residence constructed to house one family year round as follows:

- (a) Is partially or entirely manufactured in a factory on or after January 1, 1994 and is in compliance with the current applicable standards of the United States Department of Housing and Urban Development at the time of its production.
- (b) Is not less than twenty-four (24) feet in width and thirty-six (36) feet in length.
- (c) The dwelling shall be attached to a permanent foundation system in compliance with the County's building code for residential structures. All wheels, hitches and axles shall be removed.
- (d) The home shall have a pitched roof, with a slope of not less than a nominal three (3) inch vertical rise for each twelve (12) inches of horizontal run.
- (e) Roof material shall consist of nonreflective material customarily used for conventional dwellings including, but not limited to, composition shingles; fiberglass shingles; shake shingles; asphalt shingles; or tile materials. Roof material shall not include flat or corrugated sheet metal, except for manufactured metal roof panels.

(f) Have a roof overhang of not less than eight inches measured from the vertical side of the home. When attached carports, garages, porches or similar structures in an integral part of the home, this overhang may be waived where the accessory structure is attached to the home.

(g) Having siding material consisting of wood or wood products, stucco, brick, horizontal lap steel or aluminum, horizontal lap vinyl or rock.

(h) A manufactured home must be constructed in compliance with federal manufactured home construction and safety standards in effect in 1994, or as subsequently amended, and shall be constructed to meet design roof loads and insulation requirements applicable to the state of Wyoming. The applicant shall submit blue prints, as-built plans, or the manufacturer's certificate of compliance with this requirement.

(i) All manufactured homes must meet the wind and snow load requirements established for Natrona County pursuant to the Uniform Building Code and/or other administrative codes.

(j) Any manufactured home on an individual lot shall conform to the same building setback standards, side and rear yard requirements, standards for enclosures, access, vehicle parking, and square footage standards and requirements to which a conventional site built; single-family residential dwelling on the same lot would be subject.

(k) Nothing in this subsection shall be deemed to supersede any valid covenants running with the land.

Manufacturing - all uses which include the compounding, processing, packaging, treatment, or assembly of products and materials which may generate objectionable influences that extend beyond the lot on which the use is located.

May - means permissive.

Meat processing – butchering or processing of meat, poultry or wild game.

Meteorological Tower – shall mean a MET Tower.

Met Tower – any tower together with associated instrumentation or devices used for assessment of wind energy.

Met Tower Site – a contiguous parcel of land, delineated and described by survey, on which all facilities, devices and infrastructure associated with a Met Tower are situated.

Mini-warehouse - a warehouse composed of individual compartments for lease or sale to individuals for storage purposes.

Mobile home park - a parcel (or contiguous parcels) of land divided into three (3) or more mobile home lots for rent or lease for which the construction of facilities for servicing the lot on which the mobile home is to be affixed (including, at a minimum, the installation of utilities, either final site grade or the pouring of concrete pads, and the construction of streets).

Mobile home storage – The storage of unoccupied mobile homes for repair, sale or personal use. Mobile homes in storage shall not be connected to sewer or water but may be connected to power or gas for purposes of weatherization. Includes manufactured housing.

Mobile home storage, temporary – The storage of unoccupied mobile homes for repair, sale or personal use for 180 days or less per calendar year. Mobile homes in temporary storage shall not be connected to utilities. Includes manufactured housing.

Modular Home - A home built wholly or partially in the factory that is built in accordance with the Uniform Building Code.

Motel/hotel - a series of attached or detached sleeping or living units for the accommodation of guests with or without cooking or kitchen facilities, said units having direct access to off-street parking spaces or garages for the exclusive use of guests or occupants and may include a permanent residence for the owner or manager. A building with a central lobby providing access to rooms with no cooking facilities and which offers lodging for transient guests and may include a permanent residence for the owner or manager.

Natural hazard - a natural or man-induced event or phenomena having the potential to be detrimental to public health, safety or property. Natural hazards include geologic hazards, avalanches, landslides, ground subsidence, expansive soil and rock, corrosive soil, radioactivity, seismic effects, flooding, high wind areas and wildfire areas.

New construction - structures for which the "start of construction" commenced on or after the effective date of this Resolution.

Non-conformities - a general term referring collectively to non-conforming uses, structures or lots.

Non-instrument runway - a runway other than an instrument runway.

Normal expiration - the point at which: a structure or use cannot produce enough income or have available to it, sufficient income, to provide for normal maintenance and repair, or structural deterioration has progressed to the point that continued use may endanger persons or animals in or near the structure.

Noxious matter or material - materials capable of causing injury to living organisms by chemical reaction or capable of causing detrimental effects on the physical well-being of individuals.

Nuisance – General – any use or non-use of property which constitutes an unreasonable interference with the quality of life, health, safety or welfare of Natrona County citizens or which is defined by Wyoming legislative enactments, decrees of Wyoming courts of competent jurisdiction.

Nuisance – Public – an unreasonable interference with a right common to the general public.

Nuisance – Private - a non-trespassory invasion of another's interest in the private use and enjoyment of land.

Nursing home - an establishment licensed by the Wyoming State Department of Health and Social Services, which maintains and operates continuous day and night facilities, providing room and board, personal services and skilled nursing care. Includes assisted care facilities.

Office, general - a building or portion of a building wherein services are performed involving predominantly administrative or clerical operations of a business.

Office, professional - a building where there is no display of stock or wares in trade, nor commodity sold, nor any commercial use conducted other than professional services as herein defined. For purposes of this Resolution, professional offices shall include the office of a doctor, dentist, lawyer, architect, engineer, minister of religion, insurance agent, realtor, real estate appraiser, accountant or similar professions or professional services but shall not include barber shops, beauty parlors or similar services or general business offices. Said professional offices shall not employ more than four (4) persons per office, including commissioned sales persons.

Officer - Natrona County Zoning Enforcement Officer.

Oil field or mining equipment excluding pipe yards and drill rig assembly - manufactured oil field equipment, and mining equipment.

Open space – the area of a lot required to be kept free of buildings or structures but which may be used for parking.

Open space, common - land area not occupied by structures or parking spaces designated and developed for use by the occupants of a planned unit or other development or by others for recreation, whether commercial or private, courts, gardens or other uses.

Open storage - storage of material outside of a building.

Owner - the owner of record, recorded in the office of the County Clerk, and as shown on the latest Natrona County tax roll.

Owner, contract purchase - a purchase in which title to property or goods remains with the seller until the purchaser has fulfilled the terms of the contract, usually payment in full.

Parking lot - a space required for vehicular parking of more than one vehicle.

Parking space - a minimum space of 8.5'x20' is required for vehicular parking of a single vehicle.

Parking structure - a structure available to the public for parking of motor vehicles on an hourly, daily or monthly basis, excluding abandoned or wrecked vehicles.

Park, playground, public - an area open to the general public and reserved for recreational, educational or scenic purposes.

Park, private - an area for public or private recreation, amusement or entertainment, privately owned, that may be operated as a business. Said definition may include stadiums or sports areas, exhibition areas, rodeo grounds, fairgrounds, zoos, race tracks and similar activities not defined elsewhere in this Resolution.

Pedestrian way - the right-of-way access for use by pedestrian traffic, including sidewalks and pathways.

Percolation test - a method of testing soil absorption qualities.

Performance standard - any of the physical requirements related to the establishment of a use on a site or in a structure thereof or the conduct of such use, or related to the preparation of a site and the construction of a building thereof, as prescribed.

Permitted Use - a use which is specifically permitted and set forth as such in the designated districts in this Resolution.

Person - a natural and legal person, group of persons, partnership, association or corporation.

Personal service shop - businesses offering personalized services, such as barbershops, beauty shops, laundromats, dry cleaning services and similar uses.

Pipe yards - land used for the purpose of outside storage of oil field pipe, casing, drill collars and other materials used for oil field drilling. This includes the cleaning, threading, welding, reconditioning, coating or assembly of pipe and tubular products.

Place of worship - a building, together with its accessory buildings and uses, where persons regularly assemble for religious worship, which is maintained and controlled by a religious body organized to hold public worship.

Plat of record - the subdivision plat officially documented, approved and filed in the office of the County Clerk.

Policy - written or unwritten guideline for action used by the governing body in the accomplishment of a goal.

Pre-existing condition - any condition related to a use, site or structure that was in existence as of the effective date of this Resolution.

Primary Structure - shall mean and include, but is not necessarily limited to, structures such as residences, Quonset huts, barns, commercial buildings, hospitals, day care facilities and excluding structures such as storage sheds and loafing sheds.

Principle structure - a building housing a permitted use, as listed herein, exclusive of accessory buildings.

Principle use - the primary use of the land or structures as distinguished from accessory uses.

Private garage - a building or portion thereof for the storage of property and passenger vehicle for persons living on the premises and having no public shop or service in connection therewith.

Professional Engineer – an individual who is a licensed professional engineer in the State of Wyoming.

Property lines - the legal boundaries of any particularly described parcel of land.

PSC – Public Service Commission of Wyoming.

Public facility - any publicly owned and operated use, building, or establishment, such as a post office, fire station, courthouse, police station, etc., and not including correctional facilities, offices or outdoor storage.

Public land - land owned, controlled and/or operated by a governing entity.

Public sewer system - shall include all mains, laterals and appurtenances located on public rights-of-way, directly controlled by a public utility, sewer district or private individual. The system is for the collection and treatment of waste generated by three (3) or more dwelling units and accessory uses in a subdivision, cluster residential development, PUD, mobile home park, campground or other type of development.

Pump setback - the distance from the street or highway right-of-way line to the centerline of the auto service station pump island measured at a right angle distance from the right-of-way.

Recreational facility, public or private - a structure or grounds for sport and athletic activities such as an athletic club, swimming pool facility, tennis court, marina, ski area, etc., including appurtenant concessions.

Remediation Waste – All waste materials and debris that are managed for implementing cleanup at a contaminated site.

Rendering plant – a facility that butchers live animals, and wholesales or retails meat products and disposes of animal wastes.

Resolution - Natrona County Zoning Resolution.

Retail sales - stores and shops selling personal services or goods.

Sale barn - a place operated for profit as a public market, consisting of pens and enclosures and their appurtenances, in which livestock are received, held for sale, sold or offered for sale at either public auction or private sale. The sale barn may include a restaurant as an accessory use. This definition specifically excludes confinement livestock facilities as defined herein.

Salvage yard - a lot, land or structure where waste or used materials are bought and sold, exchanged, stored, baled, packed, dismantled or handled, including but not limited to scrap metals, pipe, tubing, casing, paper, rags, rubber tires and bottles. This does not include trash or refuse.

Sanitary landfill - an area of land used as a solid waste disposal site meeting all requirements of the State Department of Environmental Quality and formally approved by that agency and local government.

Sawmill - a building, together with its accessory buildings and uses, in which machinery is housed for cutting wood.

Schools -

A. College or University - a public or private institution for higher learning (beyond grade level) providing courses or instruction according to Wyoming State Statutes.

B. Elementary, Junior and Senior High - any public, parochial or private school for any grades, including kindergarten and/or between first and twelfth grades, that is accredited by the Wyoming Department of Education for purposes of compulsory education requirements.

C. Professional or business - secretarial school or college, or business school or college which is not public and not owned or conducted by or under the sponsorship of a religious or charitable organization; also a school conducted as a commercial enterprise for teaching instrumental music, dancing, barbering or hairdressing.

D. Trade or vocational - a public or private establishment conducted for the purpose of teaching industrial skills and in which machinery may be employed as a means of instruction.

Screening or Screened is defined as the method by which the view from one property to another property is substantially shielded, concealed or hidden. Screening techniques include solid fences, walls, hedges, berms or other approved features.

Security quarters - a dwelling used exclusively as living quarters for security guards at industrial or construction sites.

Septic tank - a water tight tank which receives and disposes of sewage.

Setback - the distance required to comply with the front, side or rear yard and open space provisions set forth in this Resolution as figured from the property line. In cases where the property line is the center of the road, the setback shall be figured from the edge of the road easement or right-of-way.

Shall - means mandatory.

Shopping center - a large facility where more than five (5) businesses are grouped together in one large structure as a unified development sharing parking.

Side lot line - any boundary of a lot which is not a front lot line or a rear lot line.

Slope - the amount of natural or man-made inclination of existing ground.

Small wind energy system - a device no greater than forty-five feet (45) in height used for extracting energy from the wind by harnessing the energy through moving blades or rotors. A wind generator shall mean a combination of (1) surface area for capturing the wind, (2) a shaft or gearing or belt or coupling assembly for converting the rotational power of the attached surface area to an electrically or mechanically utilizable form, (3) a generator or alternator to convert the rotational energy into electrical power, (4) a tower or other structure upon which the first three (3) elements are mounted. Wind generators must comply with setbacks and adopted building and electrical codes.

Solid waste - garbage and other discarded solid materials, including solid waste materials resulting from industrial, commercial and agricultural operations, and from community activities, but does not include solids or dissolved material in domestic

sewerage or other significant pollutants in water resources, such as silt, dissolved or suspended solids in industrial waste water effluent, dissolved materials in irrigation return flows or other common water pollutants.

Solid Waste Management Unit (SWMU) – An area defined by CEMC and WDEQ as an area that was believed to have manages solid waste.

Space - the area allocated for an individual camper within a campground.

Space, mobile home unit – a designated area within a mobile home park to accommodate one unit.

Specialty and sundry shop - a business in which merchandise sold is designed for a particular purpose, use or occasion, such as a ceramics shop, candy store, sewing goods shop, hobby shop, florist, etc.

Spot zoning - the singling out of a particular property or small groups of properties for different treatment from that accorded to similar surrounding land, which is contrary to the general pattern of zoning in the surrounding geographic area and is not in accordance with the Natrona County Land Use Plan, and which is designed solely for the benefit of the owner of the property receiving special treatment.

Stables - a detached building, used for lodging and feeding livestock.

Start of construction - the first placement or permanent construction of a structure (other than a mobile home) on a site, such as the pouring of slabs or footings or any work beyond the state of excavation.

Storage - the act of depositing goods, wares and merchandise in any yard, structure, part of a structure or warehouse.

Storage of flammable and combustible liquids - The storage of flammable or combustible liquid, in an approved underground or outside above ground storage tank(s) as defined by the Uniform Fire Code, and not for sale to the public. This definition does not regulate the storage of heating oil which is being used on-site for residential heating.

Story - that portion of a building between the surface of a floor and the surface of the floor above it; or, if there is no floor above, the space between the floor and the ceiling above. A basement shall be counted as a story only if it conforms to the definition of a basement in this Resolution.

Street - a general term denoting a public or private way established for purposes of vehicular travel. The term includes all facilities which normally occur within the right-of-way; it shall include such other designations for a street as: a highway, thoroughfare,

parkway, throughway, road, pike, avenue, boulevard, lane, place, drive, court or as otherwise designated, but excluding an alley or a way for pedestrian use only.

Structure - anything that is built or constructed on the ground, including a building or office of any kind or any piece of work artificially built up or composed of parts, including signs, but not including a fence or a wall of less than four (4) feet in height or any chain link fence not constituting a visual barrier, mail boxes, light standards or poles, lines, cables or transformers of a public utility.

Substantial improvement - any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure either before the improvement or repair is started, or if the structure has been damaged and is being restored, before the damage occurred.

Tent - a shelter made of flexible material erected directly on the ground providing temporary facilities for sleeping.

Tent trailer - a vehicle with an expandable enclosure of canvas fabric.

Terminal - a depot, building or area specifically designated for the storage or transfer of persons or material or temporary storage and service of operable vehicles used in the transport of persons, goods or materials.

Theater - a building or parcel of land used for dramatic presentations, stage entertainments or motion picture shows.

Through lot (double frontage) - a lot having a frontage on two parallel streets.

Tiedown - an approved device designed to anchor a mobile home or any other accessory building or structure to ground anchors.

Townhouse - a single family dwelling constructed as part of a series of three or more dwellings, all of which are either attached to the adjacent building and/or buildings by common walls or are located immediately adjacent thereto with no visible separation between walls or roof; all of which dwellings may be located on undivided and separate lots if individually owned or upon a single lot if under common ownership.

Toxic or hazardous waste - a substance which has the capacity to produce injury or illness to man or animals through ingestion, inhalation or absorption through any body surface, or which could cause long term damage to the local environment through evaporation, seepage or leakage.

Truck stop - an establishment primarily designed for the purpose of selling and dispensing vehicle engine fuels, kerosene or motor oil and lubricants or grease and minor vehicle repair on a full and some self-service basis to commercial trucks, and

may include similar service for automobiles. May also include restaurant facilities, convenience store facilities and/or overnight sleeping facilities.

Truck terminal - a terminating point where goods are transferred from a truck to a storage area or to other trucks, or picked up by other forms of transportation.

Uniform Administrative Code - the Uniform Administrative Code adopted and enforced by the Board includes the adopted editions of the Uniform Fire Code and Fire Code Standards, the Uniform Building Code, the National Electrical Code, the Uniform Mechanical Code, the Uniform Plumbing Code, the Uniform Building Code, the Uniform Building Code Standards, the Uniform Code for Abatement of Dangerous Buildings, the Uniform Housing Code, and the licensing of contractors who work within the unincorporated area of Natrona County.

Use Control Are (UCA) – A legally enforceable form of property use restriction that is only available under the Voluntary Remediation Program (VRP) and as defined and governed by Wyoming Statute 35-11-1609.

Use, permitted – the primary purpose for which a site or structure is actually arranged, designed, constructed, moved, altered, or enlarged or the principal reason for which a site or structure is occupied or maintained as enumerated in the District regulations.

Use, accessory – a subordinate use authorized to be operated on the same property as a permitted use in a customary manner.

Utility installation - any structure, building or facility of a public utility including, but not necessarily limited to, entities which are regulated by the Wyoming Public Service Commission as evidenced by a Certificate of Public Convenience and Necessity, and which are neither a cellular nor a Personal Communication System (PCS) provider, such as an electric sub-station, water tank or tower, transmission tower or other such distribution facility and not including offices or outdoor storage.

View means within normal visual range by a person on a public street, road, or adjacent property.”

Voluntary Remediation Program (VRP) – A set of comprehensive standards and procedures for voluntary remediation of contaminated sites in Wyoming as defined by the provisions in the Wyoming Environmental Quality Act (WEQA) W.S. 35-11-1609.

Warehouse - a structure or part of a structure, public or private, for storing goods, wares and merchandise, whether for the owner or others.

Warehousing - the storage of materials or equipment within an enclosed building. Warehousing includes mini storage.

Waste water treatment system, centralized - a privately owned and operated system other than a public sewage treatment plant for the collection and treatment of waste water generated by three (3) or more dwelling units and accessory uses in a subdivision, cluster residential development, PUD, mobile home park, campground or other type of development.

Water supply, non-public - any water supply not included under the definition of public water supply in this Resolution.

Water supply, public - any supply serving at least fifteen (15) service connections which are used at least sixty (60) days out of the year or serves an average of at least twenty-five (25) people at least sixty (60) days out of the year.

Water system, centralized - a privately owned and operated system, other than a public water system, for the distribution of water for three or more dwelling units and accessory uses in a subdivision, cluster residential development, PUD, mobile home park, campground or other type of development.

Well-designed braking system - The primary braking system, which uses a mechanical brake, pitch-control of the turbine blades, or stall-control to bring the turbine to a stop in such a way that stall-induced vibrations/noise are avoided.

Wholesaling - the selling of goods, equipment and materials by bulk to another business that in turn sells to the final customer.

Wind Generator- Commercial - a device used for extracting energy from the wind by harnessing the energy through moving blades or rotors. A wind generator shall mean a combination of (1) surface area for capturing the wind, (2) a shaft or gearing or belt or coupling assembly for converting the rotational power of the attached surface area to an electrically or mechanically utilizable form, (3) a generator or alternator to convert the rotational energy into electrical power, (4) a tower or other structure upon which the first three (3) elements are mounted. Wind generators must comply with setbacks and adopted building and electrical codes

APPENDIX B

TABLE OF PERMITTED AND CONDITIONAL USES

USE	RAM	UA	MR-1	MR-2	RR	SR	UR	UMR	MH	C	LI	HI	UCA
Accessory buildings and uses.	P	P	P	P	P	P	P	P		P	P	P	P
Accessory buildings and uses. Accessory buildings on a lot or space shall not exceed 1,000 square feet total.									P				
Adult entertainment establishment.										C	C		
Agriculture, light, accessory to residential use on the same lot or tract.			P	P	P	P	C	C					
Agriculture, commercial ranching and agriculture and associated accessory uses.	P	P											
Airport.	P	C									P		C
Amusement center.										P			
Animal clinic, animal shelter/kennel.		P			P	P				P	P		
Arena, commercial	P	P								P	C		
Arena, recreational.	P	P	C	C	P	C							
Assembly or fabrication of materials already processed or manufactured into final product													P
Auto and truck wash.										P	P	P	P
Auto reduction/recycling center.	C	C									C	C	
Auto repair station.	P	C								P	P		
Auto service station.	P	C						C		P	P		
Auto wrecker service.	P	C								P	P	P	C
Automobile, boat, truck and trailer sales.										P	P	P	P
Bank, savings and loan or credit union.										P			
Bar and lounge.										P			
Bed and breakfast.	P	P	C	C	C								
Bottling factory.											P		
Bus terminal.										P	P		P
Business, retail; excluding outdoor storage.								C					
Business, retail; with or without outdoor storage.										P	P	P	
Business, wholesale; with or without outdoor storage.										P	P	P	
Campground.	P	C							C	C			
Cemetery.	P	P		C	C		C	C					
Child Care Center	P	P	C	C	C	C	C	C	C	P			
Chemical plant, processing and storage.												P	C
Club or lodge.	P	P			C					P			
Collector Car Storage Five (5) or more	C	C									C	C	
Collector Car Storage One (1) or more					C	C		C					
Commercial Recreation	C	C	C	C	C	C		C		P	C		

USE	RAM	UA	MR-1	MR-2	RR	SR	UR	UMR	MH	C	LI	HI	UCA
Communication studio.										P			
Communication Towers and Wireless Telecommunication Facilities of any height which are owned and operated by a commercial users providing services to the public and are located not less than one (1) mile from any other zoning district; Communication Towers greater than forty-five (45) feet in height, which are owned and operated by non-commercial users, including ham radio operators and other communications enthusiasts and are located not less than one (1) mile from any other zoning district; and any Communication Tower and Antenna combinations greater than seventy (70) feet in height, which are owned and operated by non-commercial users, including ham radio operators and other communication enthusiasts and are located not less than one (1) from any other zoning district. (See Chapter VII, Section 15 - Communication Towers and Wireless Telecommunication Facilities)	C	C	C	C						C	C	C	
Communication Towers less than or equal to forty-five (45) feet in height and any Communication Tower and Antenna combinations less than or equal to seventy (70) feet in height, which are owned and operated by non-commercial users, including ham radio operators and other communication enthusiasts and are located not less than one (1) mile from any other zoning district. (See Chapter VII, Section 15 – Communication Towers and Wireless Telecommunications Facilities)	P												
Concrete batch plant.												P	C
Confinement livestock facility.	C												
Construction yard and shop.											P	P	P
Convenience store.								C		P	P		P
Correctional facility	C	C									C		
Creosote manufacturing and treating.												P	C
Dairy processing, commercial.											P		
Drive-through facility.										P			
Dwelling, multi-family, where public water and public sewer are provided.							C	C					
Dwelling, two-family.							C	P					

USE	RAM	UA	MR-1	MR-2	RR	SR	UR	UMR	MH	C	LI	HI	UCA
Dwelling: one (1) single-family, manufactured home or seasonal dwelling per lot or tract. (MR-1 and MR-2)			P	P									
Dwelling: one (1) single family dwelling or manufactured home per lot.							P						
Dwelling: one single family home, manufactured home or seasonal home per lot or tract (see definition of manufactured home). <u>SR-2 only.</u>						P							
Dwelling: one single family home, mobile home, manufactured home or seasonal home per lot or tract (see definition of manufactured home). <u>SR-1 only.</u>						P							
Dwelling: one single family, mobile home or manufactured home.								P					
Dwelling; single family, mobile home or manufactured home; 1 per lot or tract as the only building on the lot or in addition to permitted industrial buildings.										P			
Dwelling; single family, mobile home or manufactured home; one per lot, as the only building on the lot or in addition to permitted industrial buildings.											P		
Dwellings: any combination of single-family dwellings, mobile homes, manufactured homes, seasonal dwellings or bunk houses under single ownership, incidental and customary to the primary use.	P	P											
Dwellings; two single family, manufactured homes or seasonal dwellings per lot or tract. <u>RR-2 only.</u>					P								
Dwellings; two single family, mobile homes, manufactured homes or seasonal dwellings per lot or tract. <u>RR-1 only.</u>					P								
Dwelling: single family, mobile home, manufactured home, one per lot or space.									P				
Eating and drinking (optional) establishments.				C									
Family Child Care Home	P	P	P	P	P	P	P	P	P	P			
Family Child Care Center	P	P	P	P	P	C	C	C	C	P			
Farm implement and feed sales and service.					P					P	P		
Food processing.											P		
Forest and wildlife management.	P		P	P	P								
Frozen food locker.										P	P		
Gas and LPG processing plant.												P	C
Gas station													P

USE	RAM	UA	MR-1	MR-2	RR	SR	UR	UMR	MH	C	LI	HI	UCA
General store.				C									
Greenhouse, commercial.		P			P					P	P		
Group Home.								C					
Guest or dude ranch; hunting facility.	P	P											
Heavy equipment sales and service.										P	P	P	P
Heliport.	P	C									P		C
Home business.	P												
Home occupation.		P	P	P	P	P	P	P	P	P			
Hospital.										P			
Hot mix batch plant, temporary.	C	C											
Hot mix plant.											C	P	C
Incinerator													C
Laundromat.										P			
Laundry, commercial.											P		P
Library.										P			
Liquor store.										P			
Lumber yard.										P	P		P
Machinery and implement sales, service and storage													P
Manufacturing and storage of explosives.	C											C	
Manufacturing.										C	P		
Meat Processing.	P	C								C	P		
Mineral manufacturing, refining and processing.												P	
Mineral processing and refining (oil and gas excepted).											P		C
Mining, oil and gas exploration and production and associated and accessory uses.	P												
Mining; aggregate extraction (See Chapter VII, Design Criteria and Procedures).	C	C		C								C	C
Mini-warehouse.						C			C	P			P
Mobile home park	C	C				C	C	C	P				
Mobile home sales and service.										P	P		P
Mobile home storage, temporary.									P				
Mobile home storage.										P	P		
Mortuary								C		P			
Monument making and sales													P
Motel/hotel.										P			
Motor freight terminal													C
Nursing home.										P			
Office, general.										P			P
Oil field or mining equipment.										P	P	P	P

USE	RAM	UA	MR-1	MR-2	RR	SR	UR	UMR	MH	C	LI	HI	UCA
Park, playground, golf course and other similar open space recreation facilities.	P	P	P	P	P	P	P	P	P				
Parking structure.										P	P		P
Personal service shop.					C			C					
Pharmacy.								C		P			
Pipe yards, drill rig assembly.											C	P	
Pipeline terminal and pump station.												P	C
Place of worship.	P	P	C	C	C	P	C	C	C	P			
Pre-cast concrete manufacturing.												P	C
Public facility	C	C	C	C	C	C	C	C	C	C	C	C	
Propane tank, not to exceed 2,000 gallons total			P	P									
Railroad switching												C	C
Railroad tracks												C	P
Railroad facilities												C	
Railroad spurs												C	
Railroad transloading												C	
Recreational activities associated with agriculture.		P											
Recreational facility, public or private.	C	C	C	C	C	C		C		P			
Recreational vehicles (RV's) for seasonal use.				P									
Recreational vehicles (RV's) for temporary shelter of up to one (1) year while dwelling construction is occurring.				P									
Refinery.												P	C
Rendering plant.	C											P	
Research and lab facility.										P	P		C
Restaurant or cafe.										P	P	P	
Sale barn.		C											
Salvage yard.	C										C	C	
Sanitary landfill, sewage treatment facility.	C	C								C	C	P	
Sawmill.		C			C							P	C
School; elementary, junior and senior high, college, university, vocational trade, professional or business.	C	C			C	P	C	C		P			
Security quarters, subject to the following conditions:												C	
Sign, billboard advertising over 480 square feet (See Chapter VII, Design Criteria and Procedures, Section 4, Signs).										C	C	C	
Sign, billboard advertising pursuant to Chapter VII, Design Criteria and Procedures, Section 4, Signs.										P	P	P	C
Small wind energy system (SWES)	P	P	C	C	P	P	P	P	P	P	P	P	C
Specialty or sundry shop						P		C		P			

USE	RAM	UA	MR-1	MR-2	RR	SR	UR	UMR	MH	C	LI	HI	UCA
Storage of flammable and combustible liquids in excess of 12,000 gallons.										C	C	C	C
Storage of flammable and combustible liquids not to exceed 12,000 gallons.										C	P	P	C
Storage of flammable or combustible liquids not to exceed 2000 gallons.										P			
Storage of flammable or combustible liquids not to exceed 500 gallons, total.			P	P	P								
Storage, indoor and outdoor.												P	
Storage, Bulk non-explosive or non-caustic liquids													C
Storage, outdoor											P		
Supply and service shop, including plumbing, welding, electrical and building.											P		P
Temporary dwelling, dependent on outside water and sewer, and appurtenant facilities associated with highway, pipeline and power line construction or mineral exploration.	C	C											
Temporary dwelling, (man camps), requiring no hook-up to water or sewer, and appurtenant facilities associated with highway, pipeline and power line construction or mineral exploration.	P	P											
Theater.										P			
Toxic and hazardous waste storage.												C	
Truck stop.										P	P	P	
Truck terminal.										P	P	P	C
Underground oil or gas storage facilities													C
Utility installation	C	C	C	C	C	C	C	C	C	C	P	C	P
Utilization of mobile and/or manufactured homes for storage purposes, incidental to the principle structure(s) on the property (see Chapter VII, Section 8f).	P	P											
Warehouse										P		P	
Warehousing											P		P
Wind generator(s), commercial, producing electricity for sale.	C	C											C

APPENDIX C

BULK REGULATIONS

	MINIMUM DISTRICT SIZE	MINIMUM LOT SIZE	MINIMUM SETBACKS	MAXIMUM HEIGHT	OPEN SPACE
RAM	40 acres or the legally described 1/16 section	35 acres	25' adjacent to all public roads; 10' from all property lines not abutting a road	No maximum	No minimum
UA	40 acres or the legally described 1/16 section	10 acres	25' adjacent to all public roads; 10' from all property lines not abutting a road	No maximum	No minimum
RR	15 acres	5 acres	25' adjacent to all public roads; 10' from all property lines not abutting a road; 5' from all side lines and 8' from rear property lines for detached legally complying accessory structures.	Residential 36'; all other: no maximum	Minimum 50% of lot
SR	6 acres	2 acres	25' adjacent to all public roads; 10' from all property lines not abutting a road; 5' from all side lines and 8' from rear property lines for detached legally complying accessory structures.	36' or 3 stories for all residential buildings	Minimum 50% of lot

	MINIMUM DISTRICT SIZE	MINIMUM LOT SIZE	MINIMUM SETBACKS	MAXIMUM HEIGHT	OPEN SPACE
UR	6 acres	2 acres with private water and private sewer; ½ acre with either public water or public sewer; 9,000 square feet with public water and public sewer for single or two-family dwellings, plus 1,500 square feet for each additional unit.	25' from the front property line; 10' from the side and rear property lines except corner lots shall have 25' from the street side property line; 5' from all side lines and 8' from rear property lines, for detached legally complying accessory buildings.	36'	Minimum 20% of lot

	MINIMUM DISTRICT SIZE	MINIMUM LOT SIZE	MINIMUM SETBACKS	MAXIMUM HEIGHT	OPEN SPACE
UMR	6 acres	2 acres with private water and sewer, ½ acre with either public water or sewer; 9,000 square feet with public water and public sewer for single or two-family dwellings, plus 1,500 square feet for each additional unit. The Commission and Board may reduce the minimum lot size to 6,500 square feet for mobile homes or single family dwellings in areas within one mile of a municipality and served by public water and public sewer	25' adjacent to all roads; 10' from all property lines not abutting a road; 5' from all side property lines and 8' from all rear property lines for all detached legally complying accessory buildings	36' or three stories, whichever is higher	Minimum 20% of lot

	MINIMUM DISTRICT SIZE	MINIMUM LOT SIZE	MINIMUM SETBACKS	MAXIMUM HEIGHT	OPEN SPACE
MH	3 acres	4,000 square feet	<p>For mobile home parks for principal & accessory buildings: 25 feet adjacent to all public roads; 8 feet adjacent to all private roads; 15 feet between mobile homes; 5 feet from the perimeter property line; 5 feet from all property lines and for all detached, legally complying accessory buildings.</p> <p>For mobile home subdivisions: 25' adjacent to all public roads 7 ½' from all property lines not abutting a road; 5' from all property lines and for all detached, legally complying accessory buildings.</p>	24' for all buildings	20% of lot
C	No minimum	2 acres without public water or sewer. ½ acre with either public water or sewer. 200' minimum lot width without public water or sewer 100' minimum lot width with public water or sewer	60' adjacent to all Federal, State and County roads; 40' adjacent to all other roads; 10' from all property lines not abutting a road	36' or three stories, whichever is more	Minimum 10% of lot

	MINIMUM DISTRICT SIZE	MINIMUM LOT SIZE	MINIMUM SETBACKS	MAXIMUM HEIGHT	OPEN SPACE
LI	No minimum	2 acres without public water or sewer; ½ acre with either public water or sewer. 200' minimum lot width without public water or sewer. 100' minimum lot width with public water or sewer.	60' adjacent to all Federal, State and County roads; 40' adjacent to all other roads; 10' from all property lines not abutting a road; 100' from all property lines adjacent to a residential district	No maximum	No minimum
HI	10 acres	2 acres	60' adjacent to all Federal, State and County roads; 40' adjacent to all other roads; 10' from all property lines not abutting a road; 150' adjacent to a business or residential district	No maximum	No minimum
UCA	No Minimum	No Minimum	Front – 25 feet Side – 5 feet Rear – 20 feet	35 feet	TBD

APPENDIX D

TABLE OF PARKING REQUIREMENTS BY USE

Use	Parking Requirements
Automobile sales and/or repair	One (1) space for each 1000 square feet of gross land area devoted to open display or sales. Where the area exceeds 10,000 square feet, one (1) space shall be provided for each 5,000 square feet of land in excess of the first 10,000 square feet contained in the area, or one (1) space for each two (2) employees, whichever is greater.
Automobile service station	One (1) space per 300 square feet of gross floor area, plus two (2) spaces per lift, but not less than six (6) spaces. If additional uses such as trailer rentals, etc., are associated with the automobile service station, then one (1) space per each 300 square feet of area devoted to the additional use.
Automobile washing establishment	Ten (10) spaces per each automatic, self-propelled drag tunnel plus one (1) space per two (2) employees. The driveway on the property used for approaching the tunnel may be considered as parking area for tunnel vehicles. Self-service establishments shall require five (5) spaces per stationary, automatic bay.
Banks, savings and loan, and finance companies	One (1) space per each 350 square feet of gross floor area.
Bars, lounges, nightclubs	One (1) space per each three (3) seats at maximum capacity.
Bowling alleys	Four (4) spaces per lane.
Churches	One (1) space for every four (4) seats in the principle room for worship. Where individual seats are not provided, a gross floor area of twenty-one (21) square feet shall be considered as equivalent to one (1) seat.
Clubs, lodges	One (1) space per each three (3) persons the facility is designed to accommodate at full capacity.
Commercial laundries, bottling factories, commercial dairies, frozen food lockers	One (1) space for each two (2) employees on the largest shift or for each 400 square feet of gross floor area, whichever is greater, plus one (1) additional space for each vehicle operated or kept in connection with the use.

Use	Parking Requirements
Convenience establishments, neighborhood	One (1) space per each 300 square feet of gross floor area.
Family Child Care Home, Family Child Care Center and Child Care Center	One (1) space for every two (2) employees or fraction thereof, plus one (1) space for each five (5) children the facility is designed to accommodate or that the facility is licensed by the State to accommodate, whichever is greater. However, in no event shall less than three (3) spaces be provided for such use regardless of number of employees or children.
Drive-in/through facilities, such as restaurants, banks	One (1) space for every four (4) mixed restaurant seats, plus one (1) additional space for every twenty-one (21) square feet of area available for public assembly where there are no fixed seats, plus one (1) additional space for each employee on the largest shift.
Drive-in restaurants, ice cream shops, hamburger stands or other business offering food and drink in any form usually consumed on or off the premises.	One (1) space for every four (4) fixed restaurant seats, plus one (1) additional space for every twenty-one (21) square feet of area available for public assembly where there are no fixed seats, plus one (1) additional accommodation for a minimum of four (4) cars with access to the order board will be provided on the property, plus an additional accommodation for a minimum of four (4) vehicles with access to the drive-up window, between the order board and the drive-up window.
Branch banks which have drive-up facilities	Accommodations for a minimum of five (5) cars with access to the drive-up facility.
Other drive-in facilities	The same requirement as the above uses, plus additional requirements for drive-in facilities as described in this resolution.
Golf courses	Ten (10) spaces per hole, plus one (1) additional space for each twenty-one (21) square feet of building or floor area used for public assembly; plus one (1) additional space for each 400 square feet of gross floor area used for other commercial purposes.
Grocery store	One (1) space per 250 square feet of gross floor area.
Groceries, neighborhood	One (1) space per 300 square feet of gross floor area.

Use	Parking Requirements
Historical sites	One (1) space per each 400 square feet of gross floor area or twelve (12) spaces per acre, whichever is greater.
Hospitals	One (1) space for every two beds plus a minimum of one additional space for every two (2) residents or staff doctors and regular employees, including nurses, on the largest shift.
Hotels, motels	One (1) space for each guest (sleeping room) without kitchen facilities, plus one (1) additional space for each employee or manager. Two (2) spaces for each unit with kitchen facilities.
Hotels, motels located adjacent to a highway and/or serving semi-truck drivers	One (1) space for each guest (sleeping room) without kitchen facilities, plus one (1) additional space for each employee or manager. Two (2) spaces for each unit with kitchen facilities, plus a minimum of five (5) spaces each of sixty-five feet (65') in length to be used for parking of semi-trucks.
Ice skating, roller skating rinks	One (1) space for each 200 square feet of gross floor area.
Kennel	One (1) space for each 400 square feet of gross floor area, plus one (1) additional space for each employee.
Lots for auto, trailer, related sales, rentals and services	One (1) space per each 8000 square feet of gross land area.
Mobile home sales, farm implement sales and service and nurseries	One (1) space for each 1000 square feet of gross land area devoted to open display or sales; where the area exceeds 10,000 square feet, only one (1) space need be provided for each for each 5000 square feet of land area in excess of the first 10,000 square feet contained in the area, or one (1) space for each two(2) employees, whichever is greater.
Nursing homes	One (1) space per bed, plus one additional space for each employee on the largest shift.
Offices	One (1) space per each 350 square feet of gross floor area.
Parks and playgrounds	Parks and playgrounds over one (1) acre: one (1) space for each picnic table or twelve (12) spaces for each acre of formal park area, whichever is greater.
Personal service shops	One (1) space per 400 square feet of gross floor area.

Use	Parking Requirements
Pet shops, pet stores, pet supplies	One (1) space for each 400 square feet of gross floor area, plus one (1) space per each two (2) employees.
Pool halls	One (1) space per each 200 square feet of gross floor area.
Printing and newspaper house	One (1) space for each two (2) employees on the largest shift or for each 3400 square feet of gross floor area, whichever is greater, plus one (1) additional space for each vehicle operated or kept in connection with the use.
Recreation centers	One (1) space per each three (3) persons the facility is designed to accommodate at full capacity.
Research facility, experimental or testing laboratory, manufacturing assembly or packing of products from previously prepared material, manufacturing of devices or instruments, manufacturing and preparation of food.	One (1) space for each two (2) employees on the largest shift or for each 400 square feet of gross floor area, whichever is greater, plus one (1) additional space for each vehicle operated or kept in connection with the use.
Restaurants, cafes, coffee shops	One (1) space for every four (4) fixed restaurant seats and one (1) space for every twenty-one (21) square feet of area available for assembly where there are not fixed seats, plus one (1) additional space for each employee on the largest shift.
Schools: elementary and junior high	One (1) space for each classroom, library, lecture hall and cafeteria,, plus one (1) additional space for each four (4) fixed seats in the auditorium, gymnasium or other place of public assembly or one (1) space for every twenty-one (21) square feet available for public assembly where no fixed seats are provided.

Use	Parking Requirements
Schools: senior high	One (1) space for each classroom or lecture hall, plus one additional space for each five (5) full-time students that the school is designed to accommodate, plus one (1) additional space for each employee or staff member. For theaters, auditoriums, sport arenas, gymnasiums and similar places of public assembly, in addition to the above, there shall be one (1) space for each four (4) fixed seats and one (1) space for every twenty-one (21) square feet of area available for public assembly where no fixed seats are provided. In no event shall less than ten (10) spaces be provided for any use, regardless of number of employees.
Schools: colleges and universities	One and one-half for each classroom, laboratory, or lecture hall, plus one additional space for each five (5) students that the school is designed to accommodate, plus one (1) additional space for each employee or staff member. For theaters, auditoriums, sport arenas, gymnasiums and similar places of public assembly, in addition to the above, there shall be one (1) space for every twenty-one (21) square feet of area available for public assembly where no fixed seats are provided. In no event shall less than five (5) spaces be provided for any use regardless of number of employees.
Fraternity/sorority houses, dormitories	One space for each guest room in dormitories, fraternity and sorority houses. Each 100 square feet shall be considered equivalent to a guest room.
Specialty shops and stores	One space per each 400 square feet of gross floor area.
Theaters, auditoriums and other places of indoor assembly	One space for each three fixed seats or one space for every twenty-one (21) square feet of seating area where there are no fixed seats, plus one (1) additional space for each two employees. In no event shall less than ten (10) spaces be provided regardless of the number of employees.
Uses not specifically listed	As determined by the Planning Commission.